



Richland County Transportation Ad Hoc Committee

April 27, 2021 - 4:00 PM  
Virtual Meeting  
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Overture Walker
  
2. **APPROVAL OF MINUTES** The Honorable Overture Walker
  - a. Regular Session: March 23, 2021 [PAGES 2-7]
  
3. **ADOPTION OF AGENDA** The Honorable Overture Walker
  
4. **ITEMS FOR INFORMATION** [PAGES 8-9] Mr. Michael Niermeier
  - a. Signage Update
  - b. Gills Greek Greenway Update
  
5. **ITEMS FOR ACTION** The Honorable Overture Walker
  - a. City of Columbia Bikeway IGA (corrected) [PAGES 10-18]
  - b. Modification to Innovista Phase 3 De-scope [PAGES 19-41]  
and Funding Approval
  - c. Transportation Improvement Contract 2 - [PAGES 42-46]  
Old Garners Ferry Rd.
  
6. **ADJOURNMENT**



Richland County  
Transportation Ad Hoc Committee  
March 23, 2021 – 3:00 PM  
Zoom Meeting  
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Overture Walker, Chair, Bill Malinowski, Yvonne McBride, Paul Livingston, and Jessica Mackey

OTHERS PRESENT: Gretchen Barron, Cheryl English, Michelle Onley, Angela Weathersby, Kyle Holsclaw, Tamar Black, Ashiya Myers, John Thompson, Brittany H. Terry, Lori Thomas, Virginia Goodson, Ali Eliadorani, Alex Burton, Michael Niermeier, Mohammed Al-Tofan, Allison Steele, Elizabeth McLean, Clayton Voignier, Leonardo Brown, Kellie Odom, Quinton Epps, James Hayes, Jeff McNesby, Michael Maloney, Jennifer Wladischkin, Alicia Pearson, Randy Pruitt, Rasheed Muwwakkil, Nathaniel Miller, Lauren Hogan, and Tanner Threatt.

1. **CALL TO ORDER** – Mr. O. Walker called the meeting to order at approximately 3:02 PM.

2. **APPROVAL OF MINUTES**

a. **Regular Session: February 23, 2021**: Mr. Livingston moved, seconded by Ms. McBride, to approve the minutes as distributed.

Mr. Malinowski noted, on p. 3, it states it was in the best interest to hold a public information meeting in the next month. He inquired if the meeting was held.

Mr. Niermeier responded they had planned on having the public meeting, but they are looking to push it back. They have a meeting with the City tomorrow to discuss some details and planning. Once the meeting is held, they will have a better understanding of what is needed. They will update the committee, as well as Council, as the plans are firmed up.

In Favor: Malinowski, McBride, Livingston, O. Walker, and Mackey

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Mackey moved, seconded by Ms. McBride, to approve the agenda as published.

In Favor: Malinowski, McBride, Livingston, O. Walker, and Mackey

The vote in favor was unanimous.

4. **ITEMS FOR INFORMATION**

a. **Budget Transfers** – Mr. Niermeier stated, per Council's directive a year ago, Transportation was

**Transportation Ad Hoc Committee  
March 23, 2021**

given permission to do inter-project budget transfers, as necessary, without requiring the need to come back to Council for approval. The stipulation was to quarterly come back to the Transportation Ad Hoc Committee and update the committee on those actions. He noted, on p. 8 of the agenda, there are a number of budget transfers the Transportation Department initiated for a total of \$907,535, which supported three (3) separate projects. One was for the Bikeway IGA, which is before committee today. The other two (2) were for the Main Street Intersection Improvement the City of Columbia performed, as well as, the South Main Pedestrian Improvement Project the SCDOT is heading up. He noted, if there were any further inter-project transfers that do not require Council's attention, they will again brief Council.

- b. **Transportation Budget Process Update Mailings** – Mr. Niermeier noted at the last committee meeting they had a briefing document moved forward to get the committee and Council's insight on the budget process. The item is being withdrawn by the department. They had a meeting with Administration, the Budget Director, and Finance Director. They believe there is a solution that does not require Council action. There will be more details to follow, and it will maintain the transparency expected of us. This will be included in the next budget cycle.

Ms. Mackey inquired about the signage and postcards they discussed at the last meeting. She inquired if there was an update.

Mr. Niermeier responded, since the last meeting, he reached out to PIO to initiate conversation, but they have not move forward with any design. The lettering on new mock-up sign was made larger to emphasize "Richland County". We did not add a penny graphic to anything. We will continue with that path and ensure anything developed is brought back to committee.

Mr. Livingston requested to have an update on this at the next ad hoc committee meeting.

Mr. Niermeier responded in the affirmative.

## 5. **ITEMS FOR ACTION**

- a. **Clemson Road Phase I** – Mr. Niermeier stated staff is requesting Council approve the award of the Clemson Road Phase I Sidewalk Project to Tolleson Limited Company in the amount of \$269,900 and to approve a 10% construction contingency of \$26,990 for a total of \$296,890.

Mr. Malinowski noted, on p. 10 of the agenda, it indicates the amount is over the engineer's estimate, but the funding is going to come from the \$350,000 currently available. He inquired if this project is part of another widening project or is this a standalone sidewalk project.

Mr. Niermeier responded it is a standalone sidewalk project. He noted it is less than 10% over the engineer's estimate.

Mr. Malinowski inquired, if we do these approvals because they are less than 10%, at what point do we begin to run out of funds for projects that come down the line. They are going to start to add up after a while. Are we going to jeopardize other sidewalks projects that are at the end of the line.

Mr. Niermeier responded that is not the intent. He noted, when the sidewalk realignment was done, they reduced 56 sidewalks down to 50 sidewalks, which left around \$7.5M - \$8M within the sidewalk grouping of projects. They are not trying to dig into that at all. They will have to come back, at some point, and make a recommendation for other uses.

## **Transportation Ad Hoc Committee March 23, 2021**

Mr. Malinowski noted he did not know how the small business enterprise certificates work, but Tolleson's certificate shows it is "certified for: highways, streets, bridge constructions, and engineering services". It does not say anything about sidewalks. He inquired if they are qualified to build sidewalks.

Mr. Niermeier responded, under Tolleson's business license, they have the ability, as professional engineers, to be general contractors for construction projects, which would include sidewalks.

Ms. McBride inquired when the engineer's estimate was done.

Ms. Steele responded she did not have the exact date, but it has been in the last 2 – 3 years.

Ms. McBride noted, given the length of time since the estimate, we should expect some changes.

Ms. Steele responded in the affirmative.

Ms. Livingston inquired if this was a bid.

Mr. Niermeier responded in the affirmative. It was bid out and was a sheltered market for SLBEs.

Mr. O. Walker stated, for clarification, the estimate received 3 years ago was \$263,485.04.

Mr. Niermeier responded in the affirmative.

Mr. O. Walker inquired if that explains the reason the County has budgeted \$269,000 in anticipation of escalating construction costs.

Mr. Niermeier responded in the affirmative.

Mr. Malinowski inquired what the sidewalk would be constructed of.

Mr. Niermeier responded it would be made of concrete.

Mr. Malinowski noted it would cost about \$270,000 for half a mile of sidewalk. He inquired if there is a reason they cannot do it out of asphalt at a lesser cost.

Ms. Steele responded she believes the SCDOT would not maintain an asphalt sidewalk, as their standard is concrete. The budgeted amount would also include the concrete testing they are required to perform.

Mr. O. Walker inquired if this sidewalk was a County project, but would be owned by the SCDOT.

Ms. Steele responded in the affirmative.

Ms. McBride moved, seconded by Mr. Livingston, to approve this item.

In Favor: McBride, Livingston, O. Walker, and Mackey

Opposed: Malinowski

**Transportation Ad Hoc Committee  
March 23, 2021**

The vote in favor passed.

- b. **City of Columbia Bikeway IGA** – Mr. Niermeier stated on pp. 17 – 30 is an IGA that has been negotiated and drafted with the City of Columbia for several bikeway projects. Staff is recommending approve of the City of Columbia Bikeway IGA.

Mr. Livingston inquired if the City of Columbia is assuming responsibility for maintenance.

Mr. Niermeier responded in the affirmative.

Mr. Malinowski inquired what are “JLs”

Mr. Niermeier responded those are Job Ledgers. They are a part of the accounting system. Every job has a unique job ledger that gets tracked through the system.

Mr. Malinowski inquired why the previous IGA with the City of Columbia for North Main Street widening was provided to the committee.

Mr. Niermeier responded, in an attempt to be thorough, they showed previous actions Council has done that is similar to what they are proposing for approval.

Mr. Malinowski inquired as to the total mileage of the projects listed on p. 25.

Mr. Niermeier responded he did not have the information, but can provide it to the committee.

Mr. O Walker inquired about the benefit to the County for entering into this agreement with the City. He also inquired about this project, in general, being a benefit to the County.

Mr. Niermeier responded approximately 50 bike paths were listed in the ordinance referendum. All of these bike routes are within the City of Columbia. The City of Columbia, as part of their Compass: Envision 2036, has a section on active mobility transportation. The City wants to build these bike lanes. This is not anything new where we provide funding to a municipality or SCDOT to build these projects on behalf of the Penny Program. The City has been looking for years, through different greenways, Innovista Phase I and II projects to increase pedestrian access the town. This is the next phase ow what they are trying to achieve. They have up with 5 separate projects ranging from road dieting, restriping, or widening to install a bike lane.

Mr. O. Walker inquired if the \$824,332 is available in the FY21 budget.

Mr. Niermeier responded all of the funding is available in this budget. As soon as this signed, the City will issue an invoice, and we will provide the funding. The City will be responsible for updating the County on the progress and how the funding is spent. If an audit happens, and the money is not being spent properly, the City will have to repay the funding.

Mr. O. Walker inquired if the price could come under the budgeted amount.

Mr. Niermeier responded the City will not be getting any more or less money than what is budgeted. If something else comes in that would be discussed at the monthly meetings. The intent is if they do not spend it we would get it back and use it for other purposes.

**Transportation Ad Hoc Committee  
March 23, 2021**

Ms. McBride inquired if the amount of money was recommended in the referendum.

Mr. Niermeier responded in the affirmative.

Mr. Livingston moved, seconded by Ms. McBride, to approve this item.

In Favor: McBride, Livingston, O. Walker, and Mackey.

Opposed: Malinowski

The vote in favor passed.

- c. **Mitigation Bank Credit Sales** – Mr. Niermeier stated what is before the committee is a request for mitigation credit sale from the Mill Creek Mitigation Bank to SCDOT for the US 601 bridge replacement. An agreement of the sale would net \$376,834.30, which will be credited back to the Transportation Penny Program. Staff recommends the committee concur with recommendation and forward to Council for consideration.

Mr. Livingston inquired if this was consistent with the SCDOR guidelines.

Mr. Niermeier responded in the affirmative.

Ms. McBride inquired who negotiated the mitigation cost.

Mr. Niermeier responded we set a standard price for sale of both stream and wetlands credits. He noted he could not answer how or why they were set.

Mr. Epps responded the standard price for wetland credits is \$20,000 and \$200 for stream credits. When an agency wants to purchase a large amount of credits, typically there is a bulk rate, which was done in this case. The credit prices are negotiated.

Mr. Malinowski inquired who sets the standard prices.

Mr. Epps responded it was set by Richland County, based on the market value of the credit, and what they are selling for by other bankers around the State.

Mr. O Walker inquired about the benefit to the County.

Mr. Niermeier responded the origination of the mitigation bank was not to sell credits to others, but for the County to have credits for projects. For example, Shop Road Extension I and II encroached on wetlands. We had credits in our bank to use, which are required by the Army Corps of Engineers. If you impact the wetlands you have to have credit to restore wetlands in another place. The benefit is we do these widening projects, and we already have credits in the bank so we will not need to purchase wetland credits from other municipalities or organizations to do our projects. It saves money in the long run.

Mr. Epps noted we used to pay other counties hundreds of thousands of dollars for credits where conservation was supported. This is another benefit of this program that exists in our County.

Mr. Livingston moved, seconded by Ms. Mackey, to approve this item.

**Transportation Ad Hoc Committee  
March 23, 2021**

In Favor: Malinowski, McBride, Livingston, O. Walker, and Mackey

The vote in favor was unanimous.

6. **ADJOURNMENT** – The meeting adjourned at approximately 3:40 PM.

**Transportation Ad Hoc Committee  
March 23, 2021**

Items for Information

**4a:** Signage Update

None of the new signs have been produced yet for project sights.

Original Design



**THIS PROJECT FUNDED  
BY YOUR PENNY**



Updated Design



**THIS PROJECT FUNDED BY YOUR  
TRANSPORTATION PENNY**



**4b. Gills Creek Greenway**

The public information meeting is deferred to a date when we have more of a design for Phase 4 of the project. Constraints on the Phase 4 design include remaining funding and width of boardwalk.

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

|                                    |  |                                   |                |                |
|------------------------------------|--|-----------------------------------|----------------|----------------|
| <b>Prepared by:</b>                | Michael Niermeier  |                                   | <b>Title:</b>  | Director       |
| <b>Department:</b>                 | Transportation   | <b>Division:</b>                  |                |                |
| <b>Date Prepared:</b>              | April 13, 2021   | <b>Meeting Date:</b>              | April 27, 2021 |                |
| <b>Legal Review</b>                | Elizabeth McLean via email   |                                   | <b>Date:</b>   | April 14, 2021 |
| <b>Budget Review</b>               | James Hayes via email  |                                   | <b>Date:</b>   | April 22, 2021 |
| <b>Finance Review</b>              | Stacey Hamm via email  |                                   | <b>Date:</b>   | April 14, 2021 |
| <b>Approved for consideration:</b> | Assistant County Administrator   | John M. Thompson, Ph.D., MBA, CPM |                |                |
| <b>Committee</b>                   | Transportation Ad Hoc Committee  |                                   |                |                |
| <b>Subject:</b>                    | Corrected : City of Columbia Bikeway Intergovernmental Agreement (IGA) ("CoC Bikeway IGA") |                                   |                |                |

**STAFF'S RECOMMENDED ACTION:**

Note: The BD contains the corrected version of the City of Columbia Bikeway IGA that was presented at the March 21 Transportation Ad Hoc Committee. Changes are highlight in Attachment 1.

Staff recommends approval of the City of Columbia Bikeway IGA. (Attachment 01).

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

|   |                                     |     |  |    |
|---|-------------------------------------|-----|--|----|
| Are funds allocated in the department's current fiscal year budget? | <input checked="" type="checkbox"/> | Yes |  | No |
| If no, is a budget amendment necessary?                             |                                     | Yes |  | No |

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

All funding is available in the FY21 Budget in the amount of \$824,332.00 (Attachment 2 for JLS and referendum amounts).

**COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

None.

**REGULATORY COMPLIANCE:**

None applicable.

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

|                |  |
|----------------|--|
| Council Member |  |
| Meeting        |  |
| Date           |  |

#### STRATEGIC & GENERATIVE DISCUSSION:

This City of Columbia Bikeway Intergovernmental Agreement represents another partnership between Richland County and the City of Columbia for development of the Bikeway, Pedestrian and Greenways Program (Penny B/P/G Program). This IGA supports the City's Comprehensive Plan, Columbia Compass: Envision 2036, Appendix M: Walk Bike Columbia. The Walk Bike Columbia Pedestrian & Bicycle Master Plan, adopted in 2015, is the result of a comprehensive public planning effort, and was initially adopted as an addendum to the transportation section of The Columbia Plan: 2018. As the Walk Bike Columbia Plan envisions closer to a 20- to 30-year build-out of infrastructure, the entirety of the plan is carried forward as an appendix to Columbia Compass.

The County has entered into similar agreements with the South Carolina Department of Transportation for several projects (e.g. Hardscrabble Road Widening and Leesburg Road) and the City of Columbia for Innovista Greene Street Phase 2, North Main Street and with Greenway Service and Maintenance Agreements.

#### ADDITIONAL COMMENTS FOR CONSIDERATION:

The City assumes all maintenance for the useful life of the project and will provide quarterly expenditure reports to the County for accountability of expended funds. This allows the County to ensure compliance with appropriate use of the Penny Funds.

#### ATTACHMENTS:

1. City of Columbia Bikeway Intergovernmental Agreement- Redlined
2. Referendum Project Breakdown

*Draft Project Exhibits available on request*

## INTERGOVERNMENTAL AGREEMENT RELATING TO BIKE INFRASTRUCTURE

This INTERGOVERNMENTAL AGREEMENT RELATING TO BIKE INFRASTRUCTURE ("Agreement") is made and entered into, by and between Richland County, South Carolina, a body politic and corporate in the State of South Carolina ("County") and the City of Columbia, a perpetual body, politic and corporate, a municipal corporation in the State of South Carolina ("City").

### RECITALS:

WHEREAS, County and City are authorized by the constitution and general law of the State of South Carolina ("State") to enter into agreements with other governmental bodies; and,

WHEREAS, the County, proposed and voters approved a referendum for the Transportation Penny Tax Program in 2012, which imposed a 1% sales tax; and,

WHEREAS, the County Transportation Penny Tax Program focused on three areas including Roadways, The Comet, and Bikeway, Pedestrian and Greenways; and,

WHEREAS, the Bikeway, Pedestrian, and Greenways program has a total budgeted amount of \$80,888,356 to be utilized to enhance the pedestrian and bicyclist experience through bike paths, sidewalks, and greenways; and

WHEREAS, the County intends to construct bikeways through out the community in the form of Bike Boulevards, Bike Lanes, Cycle Tracks, Multi Use Paths and similar (collectively "bike infrastructure"); and

WHEREAS, the parties desire to enter into this maintenance and installation agreement regarding bike infrastructure in order to allocate the installation responsibilities and the respective long-term maintenance for the designated items and areas between the County and the City in this agreement;

NOW, THEREFORE, in consideration of the mutual covenants provided herein, and other good and valuable consideration, the receipt of which is hereby acknowledged.

### **Section 1. Bike Infrastructure.**

The City shall design, or have designed, detailed plans for construction/installation of herein described bike infrastructure. These plans shall comply with the City's Engineering Regulations for bike infrastructure and with SCOOT standards. The City shall secure all approvals from SCDOT with regard to installation of bike infrastructure within SCDOT right-of-way. The project will comply with all applicable City codes and state and federal regulations.

The City shall construct/install the Project. During the construction/installation of the project, the City, in consultation with the County, may propose modifications to construction plans to address unique or unknown issues in the field. Such modifications will adhere to the within delineated budget. The County may, in its sole discretion, authorize change orders, modifications, or alterations to the Project Plans that it deems necessary to complete the Project so long as such change orders, modifications, or alterations are with the scope of the project. ~~The City may propose revisions or additions to the Project Plans that are outside of the scope of work for the Project, which the County may accept or reject in its sole discretion.~~ If the County

~~accepts a proposed revision or addition, the City shall be solely responsible for paying all additional costs incurred, as determined by the County, to construct and complete the Project as a result of the revision or addition.~~

## **Section 2. The City's Responsibilities.**

(a.) City agrees to design, construct/install, operate and maintain those portions of bike infrastructure which are located within the City municipal boundaries. Such design, construction/ installation, operation and maintenance shall be performed in a nondiscriminatory manner with regard to race, color, religion, ancestry or national origin, sex, age marital status, sexual orientation, gender identity, or on the basis of disability. The City further agrees to operate and maintain those portions of the bike infrastructure within the city limits in a safe and usable manner, and for their intended purpose, throughout the term of this agreement, or any extension thereof. The City further agrees to provide sufficient and appropriate police patrol of bike infrastructure as a part of its normal police functions on streets located within the City, so long as the bike infrastructure exist and are within the municipal limits of the City.

(b.) The City agrees to install/construct the following locations, which are within the City Limits, of bike infrastructure as described below, insofar as the funds provided by the County will cover the installation/construction, and in order of priority as to be determined by the City.

- i. Bike Boulevard: Richland County Transportation Penny Program Bike Projects NO. 224, 240, and 259 otherwise known as College, Laurens, Oak, Greene, and Saluda. A designated bike boulevard that begins at Oak and Elmwood to Oak and College, then to College and Lauren, then Laurens and Greene, then to Green and Pickens. In addition, from Greene and Laurens to Green and Saluda, then to Saluda and Wheat.
- ii. Bike Boulevard: Richland County Transportation Penny Program Bike Projects No. 216 otherwise known as Williams, Tryon, Heyward, Lincoln, and Catawba. A designated bike boulevard that begins at Blossom and Williams, then to Williams and Catawba, then to Catawba and Tyron, then to Tryon and Heyward, then to Heyward and Lincoln, then to Lincoln and Catawba, then ending at Catawba and Sumter.
- iii. Bike Boulevard: Richland County Transportation Penny Program Bike Projects No. 218, 230, 231 otherwise known as Chester, Elmwood, Wayne, Edgefield, and Park. A designated bike route that begins at Edgefield and River, then to Edgewood and Park, then to Park and Chester, then to Chester and Wayne, then to Wayne and Elmwood, then to Wayne and Hampton, in addition a connection from Wayne and Elmwood to the Vista Greenway and Elmwood, as well as a connection from Park and Chester to Park and Calhoun. The connection from Elmwood and the vista greenway to the dead end of Elmwood shall not be constructed as there is no connecting element at this time.
- iv. Bike Lane and Sharrow Markings- Calhoun Street: Richland County Transportation Penny Program project otherwise known as Calhoun Street Road Diet Project. A designated sharrow lane markings from Wayne to Park, bike lanes and road diet from Park to Pickens, and designated sharrow lane markings from Pickens to Harden.

- v. Bike Lane and Buffered Bike Lane -Washington Street: Richland County Transportation Penny Program project otherwise known as Pickens St/Washington St/Wayne St. Bikeways project. A designated bike lane from Lincoln Street to Park Street, buffered bike lanes from Park Street to Pickens Street.
- (c.) The City agrees to the following specific bike infrastructure maintenance responsibilities for the locations in Section 2(b.), which are within the City municipal boundaries, throughout the term of the agreement, or any extension thereof:
- i. Bike Boulevards: The City will maintain all sharrows, share the road signs, and bike boulevard directional signage that may be a part of the Bike Boulevard system. This responsibility includes maintaining the appearance and integrity of the bike boulevard infrastructure.
  - ii. Bike Lanes: The City will maintain all bike lanes striping, markings, share the road signs, bike lane begins/bike lane ends signs, and other associated elements of bike lanes. This responsibility includes maintaining the appearance and integrity of the bike lane infrastructure.
  - iii. Buffered Bike Lanes: The City will maintain all buffered bike lanes striping, markings, bike lane begins/bike lane ends, share the road signs, and other associated elements of buffered bike lanes. This responsibility includes maintaining the appearance and integrity of the buffered bike lane infrastructure.
  - iv. Cycle Tracks: The City will maintain all cycle track striping, markings, share the road signs, vertical separation devices, bike lane begins/bike lane ends, and other associated elements of bike lanes. This responsibility includes maintaining the appearance and integrity of the cycle track infrastructure.
  - v. Multi Use Paths: The City will maintain all Multi Use Path striping, markings, signs, and other associated elements of a multi-use path. This responsibility includes maintaining the appearance and integrity of the multi-use path infrastructure.
  - vi. Road Diet: The City will maintain a road diet which often includes the reduction of lanes or the changing of lane configuration while also possibly providing bike boulevard elements, Bike Lane elements, buffered bike lane elements, and cycle track elements and all associated components such as painted lines and symbols, signage, vertical separation elements, etc. This responsibility includes maintaining the appearance and integrity of the road diet infrastructure.

### Section 3. Miscellaneous Provisions

(a) The City's design and installation construction, operation and maintenance obligations shall commence upon receipt of funding and from the County. The City's maintenance obligations shall commence upon completion of the bike infrastructure. It is intended that the parties to his agreement recognize and acknowledge that as governmental entities, their authority, and capacity to perform the maintenance obligations identified herein is subject to each maintaining the respective legal authority to do so. In addition, the allocation of the maintenance obligations for the items identified will terminate with the end of the useful life of the project or the removal of a particular item being maintained by the City due to road reconstruction or other roadway modification; provided, however, that the operation and maintenance obligation shall in no event be less than ten (10) years from the date of Project completion, except upon removal of the particular portion of the Project.

- (b) The County's funding obligations shall commence upon execution of this agreement. These funding obligations shall be limited to and not exceed the amounts approved by County Council for the projects herein, or ~~any extension~~ amendments thereof, as provided in Exhibit A. The County's funding obligations shall cease ~~at the time of project completion~~ upon payment, and the County shall have no obligation to operate or maintain the bike infrastructure once fully installed. The City shall provide quarterly detailed expenditure records for all monies spent on the Project during such period. A detailed final audit report shall be due at Project completion.
- (c) The spending of the funds will be pursuant to the SCDOR Guidelines, and any funds that are determined by an audit to have been spent outside of such guidelines ~~the City will be held liable for.~~ shall be immediately refunded to the County by the City.
- (d) Subsequent to this agreement, the County and City shall develop and agree upon a timeline for the development and completion of each of the projects herein.
- ~~(e) FUTURE USE or Remove~~
- (e) This agreement will not create any duty or responsibility to anyone other than the Parties to the Agreement, nor does it create any rights enforceable by anyone other than a party (third party beneficiary) to the agreement.
- (f) This Agreement is to be governed, construed, and interpreted by the laws of the State of South Carolina. The parties do not waive sovereign immunity except to the extent that litigation may be commenced in the Circuit Court of Richland County, South Carolina as may be necessary. The Parties to the Agreement will agree that litigation will not be commenced until notice is given and the parties have attempted through discussion and mediation to resolve any disputes.
- (g) The official executing this Agreement on behalf of the City of Columbia will represent and assert actual authority to bind the City to the obligations and commitments made in this Agreement. Similarly, the official executing this Agreement on behalf of Richland County will represent and assert actual authority to bind Richland County to the obligations and commitments made in this Agreement.
- (h) Waiver: The failure of either party to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provision or of any other provision of this Agreement at any time. Waiver of any breach of this Agreement by either party shall not constitute waiver of subsequent breach.
- (i) Notice: Written notice to the City shall be made by placing such notice in the United States Mail, Certified, Return Receipt Requested, postage prepaid and Addressed to: City of Columbia, P.O. Box 147, Columbia, SC 29217

**Section 4. Cooperation.** The County and the City recognize the need for cooperation among the parties for the continued development of Bike Infrastructure. The County and City agree to cooperate and take any additional actions or to execute additional documents necessary to cause this Agreement to be effectuated.

**Section 5. Default.** In the event of a breach of this Agreement or failure by the County or City to meet the commitments set forth herein, the County and City each have the right to pursue such remedies and damages as may be available at law or in equity.

**Section 6. Jurisdiction.** This Agreement is governed by and interpreted in accordance with laws of the State of South Carolina, exclusive of the conflicts of law provisions that would refer the governance of this Agreement to the laws of another jurisdiction.

**Section 7. Severability.** In case any one or more of the provisions contained in this Agreement is determined to be invalid, illegal or unenforceable in any respect for any reason whatsoever, the validity, legality, enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

**Section 8. Termination.** The allocation of the maintenance obligations for the items identified will terminate with the end of the useful life of the project or the removal of a particular item being maintained, whichever shall first occur.

**Section 9. Counterparts.** This Agreement may be signed in any number of counterparts, each of which shall be an original, with the same effect as if the signatures hereto and thereto were upon the same instrument.

**Section 10. Amendments to Agreement** The County and the City recognize the need for cooperation among the parties for the continued development of Bike Infrastructure. The County and City agree to cooperate and take any additional actions or to amend this agreement to allow for more intergovernmental infrastructure projects.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be signed by their authorized officials and is effective as of the date of the last signature hereinbelow.

**RICHLAND COUNTY, SOUTH CAROLINA**

**CITY OF COLUMBIA, SOUTH CAROLINA**

By: \_\_\_\_\_  
Chair, County Council

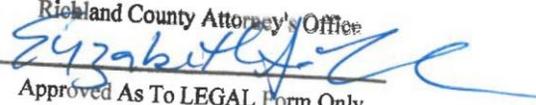
By: \_\_\_\_\_  
Teresa B. Wilson, City Manager

Attest \_\_\_\_\_  
Clerk, County Council

Attest \_\_\_\_\_  
Clerk, City Council

Date:

Date:

Richland County Attorney's Office  
  
Approved As To LEGAL Form Only.  
No Opinion Rendered As To Content.

## EXHIBIT A

### Related Penny Projects per Richland County Ordinance 039-12HR:

A: College, Laurens, Oak, Greene, and Saluda Bike Boulevard: \$379,516 Bikeway

Project Name

1. College St/Laurens St/Oak St/Taylor St:
2. Saluda Ave
3. Greene St. (Bull St to Saluda Ave)

B: Williams, Tryon, Heyward, Lincoln, and Catawba Bike Boulevard: \$255,692 Bikeway

Project Name

1. Catawba St
2. Catawba St/Tryon St/Whaley St/Williams St

C: Chester, Elmwood, Wayne, Edgefield, and Park Bike Boulevard: \$32,441 Bikeway

Project Name

1. Chester St/Elmwood Ave/Wayne St
2. Elmwood Ave
3. Edgefield St/Park St

D: Calhoun Street Road Diet, Bike Lane and Sharrow Markings- Calhoun Street: \$88,292

Project Name

1. Calhoun Street (Wayne to Harden)

E: Washington Street Bike Lane and Buffered Bike Lane –Washington Street: \$68,391 Bikeway Name

Project Name

1. Pickens St/Washington St/Wayne St

Note: Bikeway Name is the corresponding project in Richland County Ordinance 039- 12HRAppendix A. The dollar figure is the Not to Exceed (NTE) amount allowed in 039-12HR Appendix A.

| Project | CoC Project Name   | JL       | Object | Amount        |
|---------|--|----------|--------|---------------|
| A       | College, Laurens, Oak, Greene, and Saluda Bike Boulevard |          |        |               |
| 1       | College St/Laurens St/ Oak St/ Taylor St                 | 13330317 | 532200 | \$ 16,331.00  |
| 2       | Saluda Ave   | 13330325 | 532200 | \$ 3,934.00   |
| 3       | Greene St. (Bull St to Saluda Ave)                       | 13330369 | 532200 | \$ 359,251.00 |
|         | Total  |          |        | \$ 379,516.00 |

| Project | CoC Project Name  | JL       | Object | Amount        |
|---------|---|----------|--------|---------------|
| B       | Williams, Tryon, Heyward, Lincoln and Catawba Bike Blvd |          |        |               |
| 1       | Catawba St  | 13330313 | 532200 | \$ 5,547.00   |
| 2       | Catawba St/Tryon St/ Whaley St/Williams St              | 13330370 | 532200 | \$ 250,145.00 |
|         | Total   |          |        | \$ 255,692.00 |

| Project | CoC Project Name                                      | JL       | Object | Amount       |
|---------|---|----------|--------|--------------|
| C       | Chester, Elmwood, Wayne, Edgefield and Part Bike Blvd |          |        |              |
| 1       | Chester st/Elmwood Ave/Wayne St                       | 13330315 | 532200 | \$ 12,094.00 |
| 2       | Elmwood Ave   | 13330352 | 532200 | \$ 3,893.00  |
| 3       | Edgefield St/Park St                                  | 13330318 | 532200 | \$ 16,454.00 |
|         | Total   |          |        | \$ 32,441.00 |

| Project | CoC Project Name  | JL       | Object | Amount       |
|---------|---|----------|--------|--------------|
| D       | Calhoun Street Road Diet, Bike Lane and Sharrow Markings-<br>Calhoun St |          |        |              |
| 1       | Calhoun Street (Wayne to Harden)  | 13330334 | 532200 | \$ 88,292.00 |
|         | Total   |          |        | \$ 88,292.00 |

| Project | CoC Project Name   | JL       | Object | Amount       |
|---------|--|----------|--------|--------------|
| E       | Washington St Bike Lane and Buffered Bike lane- Washington<br>Street |          |        |              |
| 1       | Pickens St/Washington St/Wayne St                                    | 13330308 | 532200 | \$ 68,391.00 |
|         | Total  |          |        | \$ 68,391.00 |

|             |  |  |  |               |
|-------------|--|--|--|---------------|
| Grand Total |  |  |  | \$ 824,332.00 |
|-------------|--|--|--|---------------|



**Agenda Briefing**

|                                    |   |                                   |                |
|------------------------------------|---|-----------------------------------|----------------|
| <b>Prepared by:</b>                | Michael A. Niermeier  | <b>Title:</b>                     | Director       |
| <b>Department:</b>                 | Transportation  | <b>Division:</b>                  |                |
| <b>Date Prepared:</b>              | April 14, 2021  | <b>Meeting Date:</b>              | April 27, 2021 |
| <b>Legal Review</b>                | Elizabeth McLean via email                                      | <b>Date:</b>                      | April 15, 2021 |
| <b>Budget Review</b>               | James Hayes via email   | <b>Date:</b>                      | April 15, 2021 |
| <b>Finance Review</b>              | Stacey Hamm via email   | <b>Date:</b>                      | April 14, 2021 |
| <b>Approved for consideration:</b> | Assistant County Administrator                                  | John M. Thompson, Ph.D., MBA, CPM |                |
| <b>Committee</b>                   | Transportation Ad Hoc   |                                   |                |
| <b>Subject:</b>                    | Modification to Innovista Phase 3 De-scope and Funding Approval |                                   |                |

**STAFF’S RECOMMENDED ACTION:**

1. Staff recommends to approve a City of Columbia’s request of \$150,000 of Innovista Transportation Related Project funding (Phase 1, 2, 3) for the City’s FY22 budget request.
2. Staff recommends approving a letter of commitment to the City of Columbia’s request for up to \$4,088,663 of future Innovista Project funds to support efforts to secure outside Federal Funding (BUILD Grant or other) for the Innovista Phase 3 project (aka Williams Street Connector)

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

|   |  |     |  |    |
|---|--|-----|--|----|
| Are funds allocated in the department’s current fiscal year budget? |  | Yes |  | No |
| If no, is a budget amendment necessary?                             |  | Yes |  | No |

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

Of the original \$50M of referendum funding (Attachment 1) allocated for the Innovista projects, \$17.9M was used for Phase 1 and an estimated \$23.2M for Phase 2 currently under construction. This leaves approximately \$8.9M for Phase 3 (JL 13320104)

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

None.

**REGULATORY COMPLIANCE:**

None.

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

|                |  |
|----------------|--|
| Council Member |  |
| Meeting        |  |
| Date           |  |

#### STRATEGIC & GENERATIVE DISCUSSION:

The city is requesting \$150,000 for FY 22 to begin the National Environmental Policy Act (NEPA) Review Process for Phase 3 of the subject project. The conclusion of the NEPA Review Process will result in either a Categorical Exclusion, Environmental Assessment or Environmental Impact Statement that will allow the project to move forward or not. <https://www.epa.gov/nepa/national-environmental-policy-act-review-process>

Providing funding for the NEPA review will facilitate the initiation of the project and is necessary for seeking a Federal BUILD/RAISE Grant, which the City is applying for.

Additionally, the City is requesting a commitment from the County for \$ 4,088,633 of Innovista Project funding. This amount is contingent of funds available. The \$4,088,663 supports the city effort to secure outside funding for the Phase 3, Williams Street Connector project aka Columbia Riverfront Gateway Project. (Attachment 2). The current cost estimate from the City of Columbia is \$ \$19,987,478. A funds-available caveat would be included in the letter.

Council action on May 5, 2020 approved the “De-scope Plan” and removed Phase 3 (William Street Connector) of the Innovista Transportation Related projects for a savings of \$5.7M. Staff recommended this action since the cost estimate for Innovista Phase 3 (\$23,907,450) was approximately four times the amount estimated available at the conclusion of Phase 2. Current estimated construction costs for Phase 2 fell below the final Engineers Estimate of \$18.4M and may provide additional funding for the future project.

As a related matter, Council approved to “re-scope” the Garners Ferry/Harmon Intersection project at the March 2, 2021 Regular Session Meeting.

#### ADDITIONAL COMMENTS FOR CONSIDERATION:

#### ATTACHMENTS:

1. Ordinance 039-12HR (select pages)
2. Williams Street Project Narrative
3. Project Descope Document

I hereby certify that this is a true and correct copy of the original document.

Certified By: Michelle K. O'Neil  
Title: Int'l. Mgr. of Council  
Date: 7/30/12

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. 039-12HR

AN ORDINANCE TO LEVY AND IMPOSE A ONE PERCENT (1%) SALES AND USE TAX, SUBJECT TO A REFERENDUM, WITHIN RICHLAND COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; TO DEFINE THE PURPOSES AND DESIGNATE THE PROJECTS FOR WHICH THE PROCEEDS OF THE TAX MAY BE USED; TO PROVIDE THE MAXIMUM TIME FOR WHICH SUCH TAX MAY BE IMPOSED; TO PROVIDE THE ESTIMATED COST OF THE PROJECTS FUNDED FROM THE PROCEEDS OF THE TAX; TO PROVIDE FOR A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE SALES AND USE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS AND TO PRESCRIBE THE CONTENTS OF THE BALLOT QUESTIONS IN THE REFERENDUM; TO PROVIDE FOR THE CONDUCT OF THE REFERENDUM BY THE RICHLAND COUNTY ELECTION COMMISSION; TO PROVIDE FOR THE ADMINISTRATION OF THE TAX, IF APPROVED; TO PROVIDE FOR THE PAYMENT OF THE TAX, IF APPROVED; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

Pursuant to the authority by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION 1. Findings and Determinations. The County Council (the "County Council") of Richland County, South Carolina (the "County"), hereby finds and determines:

(a) The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.

(b) Pursuant to the terms of Section 4-37-10 of the Code of Laws of South Carolina 1976, as amended, the South Carolina General Assembly has authorized county government to finance the costs of acquiring, designing, constructing, equipping and operating highways, roads, streets, bridges, greenways, pedestrian sidewalks, bike paths and lanes, and other transportation-related projects either alone or in partnership with other governmental entities. As a means to furthering the powers granted to the County under the provisions of Section 4-9-30 and Sections 6-21-10, *et. seq* of the Code of Laws of South Carolina 1976, as amended, the County Council is authorized to form a transportation authority or to enter into a partnership, consortium, or other contractual arrangement with one or more other governmental entities pursuant to Title 4, Chapter 37 of the Code of Laws of the South Carolina 1976, as amended. The County Council has decided to provide funding for highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, bike paths and lanes, *inter alia*, without the complexity of a transportation authority or entering into a partnership, consortium, or other contractual arrangements with one or more other governmental entities at this time; provided that nothing herein shall preclude County Council from entering into partnerships, consortiums, or other contractual arrangements in the future. County Council may utilize such

provisions in the future as necessary or convenient to promote the public purposes served by funding highways, roads, streets, bridges, mass transit, greenways, pedestrian sidewalks, and bike paths and lanes as provided in this Ordinance.

(c) The County Council finds that a one percent sales and use tax should be levied and imposed within Richland County, for the following projects and purposes: For financing the costs of highways, roads, streets, bridges, greenways, pedestrian sidewalks, and bike paths and lanes and other transportation-related projects facilities, and drainage facilities related thereto, and mass transit systems operated by Richland County or Qointly) operated by the County, other governmental entities and transportation authorities.

For a period not to exceed twenty-two (22) years from the date of imposition of such tax, to fund the projects at a maximum cost not to exceed \$1,037,900,000 to be funded from the net proceeds of a sales and use tax imposed in Richland County pursuant to provisions of the Act, subject to approval of the qualified electors of Richland County in referendum to be held on November 6, 2012. The imposition of the sales and use tax and the use of sales and use tax revenue, if approved in the referendum, shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of sales and use tax revenue established by the Act, the provisions of this Ordinance, and other applicable law. Subject to annual appropriations by County Council, sales and use tax revenues shall be used for the costs of the projects established in this Ordinance, as it may be amended from time to time, including, without limitation, payment of administrative costs of the projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the projects. All spending shall be subject to an annual independent audit to be made available to the public.

(d) County Council finds that the imposition of a sales and use tax in Richland County for the projects and purposes defined in this Ordinance for a limited time not to exceed twenty-two (22) years to collect a limited amount of money will serve a public purpose, provide funding for roads and transportation, mass transit, and greenbelts to facilitate economic development, promote public safety, provide needed infrastructure, promote desirable living conditions, enhance the quality of life in Richland County, and prepare Richland County to meet present and future needs of Richland County and its citizens.

## **Section 2. Approval of Sales and Use Tax Subject to Referendum.**

(a) A sales and use tax (the "Sales and Use Tax"), as authorized by the Act, is hereby imposed in Richland County, South Carolina, subject to a favorable vote of a majority of the qualified electors voting in a referendum on the imposition of the Sales and Use Tax to be held in Richland County, South Carolina on November 6, 2012.

(b) The Sales and Use Tax shall be imposed for a period not to exceed twenty-two (22) years from the date of imposition.

(c) The maximum cost of the projects to be funded from the proceeds of the Sales and Use Tax shall not exceed, in the aggregate, the sum of \$1,037,900,000, and the maximum amount of net proceeds to be raised by the Sales and Use Tax shall not exceed \$1,070,000,000, which includes administrative costs and debt service on bonds issued to pay for the projects. The estimated principal amount of initial authorization of bonds to be issued to pay costs of the projects and to be paid by a

portion of the Sales and Use Tax is \$450,000,000. The proceeds of these bonds shall be used for a portion of the following projects:

- Project 1: Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements.  
Amount: \$656,020,644
- Project 2: Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements.  
Amount: \$300,991,000
- Project 3: Improvements to pedestrian sidewalks, bike paths, intersections and greenways.  
Amount: \$80,888,356

A list of the 2012 Roadway Projects and the 2012 Pedestrian/Bike/Greenway Projects are attached hereto as Appendix A and incorporated herein by reference.

(d) The Sales and Use Tax shall be expended for the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:

(i) Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements. Amount: \$656,020,644;

(ii) Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements. Amount: \$300,991,000; and

(iii) Improvements to pedestrian sidewalks, bike paths, intersections and greenways. Amount: \$80,888,356.

(e) The Sales and Use Tax, if approved in the referendum conducted on November 6, 2012, shall terminate on the earlier of:

(i) April 1, 2035; or

(ii) the end of the calendar month during which the Department of Revenue determines that the Sales and Use Tax has raised revenues sufficient to provide the greater of either the costs of the projects as approved in the referendum or the cost to amortize all debts related to the approved projects.

(f) The amounts of Sales and Use Tax collected in excess of the required proceeds must first be applied, if necessary, to complete each project for which the Sales and Use Tax was imposed. Any additional revenue collected above the specified amount must be applied to the reduction of debt principal of Richland County on transportation infrastructure debts only.

(g) The Sales and Use Tax must be administered and collected by the South Carolina Department of Revenue in the same manner that other sales and use taxes are collected. The Department may prescribe amounts that may be added to the sales price because of the Sales and Use Tax.

(h) The Sales and Use Tax is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36 of Title 12 of the Code of Laws of South Carolina, and the enforcement provisions of Chapter 54 of Title 12 of the Code of Laws of South Carolina. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36 of Title 12 of the Code of Laws of South Carolina are exempt from the tax imposed by this Ordinance. The gross proceeds of the sale of food lawfully purchased with United States Department of Agriculture Food Stamps are exempt from the Sales and Use Tax imposed by this Ordinance. The Sales and Use Tax imposed by this Ordinance also applies to tangible property subject to the use tax in Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina.

(i) Taxpayers required to remit taxes under Article 13, Chapter 36 of Title 12 of the Code of Laws of South Carolina must identify the county in which the personal property purchased at retail is stored, used, or consumed in this State.

U) Utilities are required to report sales in the county in which the consumption of the tangible personal property occurs.

(k) A taxpayer subject to the tax imposed by Section 12-36-920 of the Code of Laws of South Carolina 1976, as amended, who owns or manages rental units in more than one county must report separately in his sales tax return the total gross proceeds from business done in each county.

(l) The gross proceeds of sales of tangible personal property delivered after the imposition date of the Sales and Use Tax, either under the terms of a construction contract executed before the imposition date, or written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the Sales and Use Tax provided in this ordinance if a verified copy of the contract is filed with the Department of Revenue within six months after the imposition date of the Sales and Use Tax provided for in this Ordinance.

(m) Notwithstanding the imposition date of the Sales and Use Tax with respect to services that are billed regularly on a monthly basis, the Sales and Use Tax authorized pursuant to this ordinance is imposed beginning on the first day of the billing period beginning on or after the imposition date.

**Section 3. Remission of Sales and Use Tax; Segregation of Funds; Administration of Funds; Distribution to Counties: Confidentially.**

(a) The revenues of the Sales and Use Tax collected under this Ordinance must be remitted to the State Treasurer and credited to a fund separate and distinct from the general fund of the State. After deducting the amount of any refunds made and costs to the Department of Revenue of administering the Sales and Use Tax, not to exceed one percent of such revenues, the State Treasurer shall distribute the revenues quarterly to the Richland County Treasurer and the revenues must be used only for the purposes stated herein. The State Treasurer may correct misallocations by adjusting

subsequent distributions, but these distributions must be made in the same fiscal year as the misallocation. However, allocations made as a result of city or county code errors must be corrected prospectively.

(b) Any outside agencies, political subdivisions or organizations designated to receive funding from the Sales and Use Tax must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator shall prepare the proposed budget for the Sales and Use Tax and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

County Council shall adopt annually prior to the beginning of each fiscal year a budget for expenditures of Sales and Use Tax revenues. County Council may make supplemental appropriations for the Sales and Use Tax following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the Sales and Use Tax for purposes other than as specified in the annual budget when such transfers are approved by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the Sales and Use Tax must provide to County Council an independent annual audit of such agency or organization financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

(c) The Department of Revenue shall furnish data to the State Treasurer and to the Richland County Treasurer for the purpose of calculating distributions and estimating revenues. The information which must be supplied to the County upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of S.C. Code Ann. §12-54-240. Any person violating the provisions of this section shall be subject to the penalties provided in S.C. Code Ann. § 12-54-240.

#### **Section 4. Sales and Use Tax Referendum; Ballot Question.**

(a) The Commission shall conduct a referendum on the question of imposing the Sales and Use Tax in the area of Richland County on Tuesday, November 6, 2012, between the hours of 7 a.m. and 7 p.m. under the election laws of the State of South Carolina, mutatis mutandis. The Commission shall publish in a newspaper of general circulation the question that is to appear on the ballot, with the list of projects and purposes as set forth herein, and the cost of projects, and shall publish such election and other notices as are required by law.

(b) The referendum question to be on the ballot of the referendum to be held in Richland County on November 6, 2012, must read substantially as follows:

RICHLAND COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent (1%) to be imposed in Richland County, South Carolina (the "County") for not more than twenty-two (22) years, or until a total of \$1,070,000,000 in sales tax revenue has been collected, whichever occurs first. The sales tax revenue will be used to pay the costs of administrative expenses and the following projects:

- Project 1: Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements.  
Amount: \$656,020,644
- Project 2: Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements.  
Amount: \$300,991,000
- Project 3: Improvements to pedestrian sidewalks, bike paths, intersections and greenways.  
Amount: \$80,888,356

YES

NO

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote YES and

All qualified electors opposed to levying the special sales and use tax shall vote NO

QUESTION 2

I approve the issuance of not exceeding \$450,000,000 of general obligation bonds of Richland County, payable from the special sales and use tax described in Question 1 above, maturing over a period not to exceed twenty-two (22) years, to fund projects from among the categories described in Question 1 above.

YES

NO

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote YES and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote NO

(c) In the referendum on the imposition of the Sales and Use Tax in Richland County, all qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote "yes" and all qualified electors opposed to levying the tax shall vote "no." If a majority of the electors voting in the referendum shall vote in favor of imposing the Sales and Use Tax, then the Sales and Use Tax is imposed as provided in the Act and this Ordinance. Expenses of the referendum must be paid by Richland County government.

(d) In the referendum on the issuance of bonds, all qualified electors desiring to vote in favor of the issuance of bonds for the stated purpose shall vote "yes" and all qualified electors opposed to the issuance of bonds shall vote "no." If a majority of the electors voting in the referendum shall vote in favor of the issuance of bonds, then the issuance of bonds shall be authorized in accordance with S.C. Constitution Article X, Section 14, Paragraph (6). Expenses of the referendum must be paid by Richland County government.

#### **Section 5. Imposition of Tax Subject to Referendum.**

The imposition of the Sales and Use Tax in Richland County is subject in all respects to the favorable vote of a majority of qualified electors casting votes in a referendum on the question of imposing the Sales and Use Tax in the area of Richland County in a referendum to be conducted by the Board of Elections and Voter Registration of Richland County on November 6, 2012, and the favorable vote of a majority of the qualified electors voting in such referendum shall be a condition precedent to the imposition of a sales and use tax pursuant to the provisions of this Ordinance.

#### **Section 6. Miscellaneous.**

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever; provided, however, that the Sales and Use Tax may not be imposed without the favorable results of the referendum to be held on November 6, 2012.

(b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina.

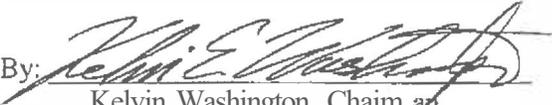
(c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this ordinance.

(d) This Ordinance shall take effect immediately upon approval at third reading.

(e) All previous ordinances regarding the same subject matter as this ordinance are hereby repealed.

Enacted this 18<sup>th</sup> day of July, 2012.

RICHLAND COUNTY, SOUTH CAROLINA

By:   
Kelvin Washington, Chair, an  
Richland County Council

(SEAL)

ATTEST THIS 21<sup>st</sup> DAY OF

July, 2012:

  
Interim Clerk to County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

Date of First Reading: June 5, 2012  
Date of Second Reading: June 19, 2012  
Date of Public Hearing: June 19, 2012  
Date of Third Reading: July 18, 2012

**APPENDIX A**

**2012 Roadway Projects**

| Type  | Project Name  | Begin Location      | End Location                          | Total        |
|---|---|---------------------|---------------------------------------|--------------|
| Widening  | Pineview Rd   | Bluff Rd            | Garners Ferry Rd                      | \$18,200,000 |
| Widening  | Atlas Rd  | Bluff Rd            | Garners Ferry Rd                      | \$17,600,000 |
| Widening  | Clemson Rd  | Old Clemson Rd      | Sparkleberry Crossing Rd              | \$23,400,000 |
| Widening  | Hardscrabble Rd                                       | Farrow Road         | Lake Carolina Blvd                    | \$29,860,800 |
| Widening  | Blythewood Rd   | Syrup Mill Rd       | I-77                                  | \$8,000,000  |
| Widening  | Lower Richland Blvd                                   | Rabbit Run Rd       | Garners Ferry Rd                      | \$6,100,000  |
| Widening  | Broad River Rd  | Royal Tower Rd      | I-26 (Ext: 97)                        | \$29,000,000 |
| Widening  | Shop Rd   | I-77                | George Rogers Blvd                    | \$33,100,000 |
| Widening  | Polo Rd   | Mallet Hill Rd      | Two Notch Rd                          | \$12,800,000 |
| Widening  | Bluff Rd  | I-77                | Rosewood Dr                           | \$16,700,000 |
| Widening  | Blythewood Rd   | Winnsboro Rd        | Syrup Mill Rd                         | \$21,000,000 |
| Widening  | Spears Creek Church Rd                                | Two Notch Rd        | Percival Rd                           | \$26,600,000 |
| Widening  | North Main Street (Phases IA2 & III; II & IV)         | Anthony Avenue      | Fuller Avenue                         | \$30,000,000 |
| Widening  | Leesburg Road   | Fairmont Rd         | Lower Richland Blvd                   | \$4,000,000  |
| Special   | Shop Road Extension*                                  | na                  | na                                    | \$71,800,000 |
| Special   | Kelly Mill Rd. **                                     | na                  | na                                    | \$4,500,000  |
| Special   | Innovista Transportation-Related Projects ***         | na                  | na                                    | \$50,000,000 |
| Special   | Riverbanks Zoo Transportation-Related Projects ****   | na                  | na                                    | \$4,000,000  |
| Special   | Neighborhood Improvement Transportation Projects      | County wide         | County wide                           | \$63,000,000 |
| Special   | Commerce Drive Improvements                           | Royster Street      | Jim Hamilton Boulevard                | \$5,000,000  |
| Special   | Assembly Street RR Grade Separation                   | na                  | na                                    | \$0          |
| Intersection  | Summit Pkwy and Summit Ridge Rd.                      | Summit Pkwy         | Summit Ridge Rd.                      | \$500,000    |
| Intersection  | Clemson Rd. and Rhame Rd./North Springs Rd.           | Clemson Rd.         | Rhame Rd./North Springs Rd.           | \$3,500,000  |
| Intersection  | Farrow Rd. and Pisgah Church Rd.                      | Farrow Rd.          | Pisgah Church Rd.                     | \$3,600,000  |
| Intersection  | Wilson Blvd. and Pisgah Church Rd.                    | Wilson Blvd.        | Pisgah Church Rd.                     | \$3,600,000  |
| Intersection  | North Main St. and Monticello Rd.                     | North Main St.      | Monticello Rd.                        | \$5,400,000  |
| Intersection  | Broad River Rd. and Rushmore Rd.                      | Broad River Rd.     | Rushmore Rd.                          | \$3,700,000  |
| Intersection  | Wilson Blvd. and Killian Rd.                          | Wilson Blvd.        | Killian Rd.                           | \$2,600,000  |
| Intersection  | Garners Ferry Rd. and Harmon Rd.                      | Garners Ferry Rd.   | Harmon Rd.                            | \$2,600,000  |
| Intersection  | Clemson Rd. and Sparkleberry Ln. (to Mallet Hill Rd.) | Clemson Rd.         | Sparkleberry Ln. (to Mallet Hill Rd.) | \$5,100,000  |
| Intersection  | North Springs Rd. and Risdon Way                      | North Springs Rd.   | Risdon Way                            | \$1,800,000  |
| Intersection  | Hardscrabble Rd. and Kelly Mill Rd./Rimer Pond Rd.    | Hardscrabble Rd.    | Kelly Mill Rd./Rimer Pond Rd.         | \$3,000,000  |
| Intersection  | Bull St. and Elmwood Ave.                             | Bull St.            | Elmwood Ave.                          | \$2,000,000  |
| Intersection  | Screaming Eagle Rd. and Percival Rd.                  | Screaming Eagle Rd. | Percival Rd.                          | \$1,000,000  |
| Intersection  | Kennerly Rd. and Coogler Rd./Steeple Ridge Rd.        | Kennerly Rd.        | Coogler Rd./Steeple Ridge Rd.         | \$1,900,000  |
| Intersection  | North Springs Rd. and Harrington Rd.                  | North Springs Rd.   | Harrington Rd.                        | \$2,000,000  |
| Interchange   | I-20 / Broad River Rd.*****                           | I-20 / Broad River  | I-20 / Broad River                    | \$52,500,000 |
| Program   | Local Road Resurfacing Program                        | County wide         | County wide                           | \$40,000,000 |
| Program   | Dirt Road Paving Program                              | County wide         | County wide                           | \$45,000,000 |
| Program   | Access Management & Complete Streets Initiatives      | County wide         | County wide                           | \$94,536     |
| Program   | County-Wide Corridor Improvement Plan                 | County wide         | County wide                           | \$189,072    |
| Program   | County-Wide Thoroughfare Plan                         | County wide         | County wide                           | \$189,072    |
| Program   | County-Wide HOV Lane Study                            | County wide         | County wide                           | \$141,804    |
| Program   | Intelligent Transportation System                     | County wide         | County wide                           | \$945,360    |
| <b>Included In Projects List: No Costs Associated (Some may not involve costs, while others may be included in Admin Costs)</b> |   |                     |                                       |              |
| Special   | Study of Outer Beltway                                | na                  | na                                    |              |
| Program   | Preservation of Existing Right-of-Way                 | na                  | na                                    |              |
| Program   | Extension of Existing Roads                           | na                  | na                                    |              |
| Program   | Reservation of Road Connections                       | na                  | na                                    |              |
| Program   | Transfer of Development Rights                        | na                  | na                                    |              |
| Program   | Capital Improvements Plan                             | na                  | na                                    |              |
| Program   | Traffic Mitigation Plans                              | na                  | na                                    |              |

|         |  |    |    |
|---------|--|----|----|
| Program | Demand Management                                    | na | na |
| Program | Establish the Position of Director of Transportation | na | na |
| Program | Update the County Zoning Ordinance                   | na | na |
| Program | Encourage Transit Oriented Development               | na | na |
| Program | Encourage Traditional Neighborhood Development       | na | na |

**Total Roadway Projects**

**\$656,020,644**

**Notes:**

\*Shop Road Extension: Any funds budgeted but not expended for the Shop Road Extension project shall be used for local road resurfacing projects and / or local dirt road paving projects.

\*\*This special project is from the intersection of Hardscrabble Road and Kelly Mill Road to the Lake Carolina Elementary School along Kelly Mill Road. The beginning would be near Hardscrabble Road and Kelly Mill intersection and end past the entrance to the Lake Carolina Elementary School.

\*\*\*Innovista Transportation-Related Projects: The top two transportation-related priorities associated with Innovista are Greene Street from Assembly west to the to-be-constructed Williams Street Extension (aka Congaree River Parkway). [Further description of projects below.]

(1) Greene Street will consist of road improvements running west from Assembly to the railroad cut (1,600 linear feet); then the to-be-constructed Greene Street Bridge over the railroad cut; then from the Greene Street Bridge to Huger Street (900 linear feet); and then Greene Street from Huger Street to the to-be-constructed Williams Street Extension (300 linear feet). Also included in this project will be pedestrian sidewalks and bike lanes the length of Greene Street, significant improvements to the intersection of Greene Street and Lincoln Street which, among other matters, will improve the traffic flows in and around the Colonial Center; and a pedestrian promenade to be located to the west of the Greene Street Bridge to Huger Street and from Huger Street to the to-be-constructed Williams Street Extension.

(2) Williams Street Extension / Congaree River Parkway will consist of a new roadway from Blossom Street north to Gervais Street consisting of 2,650 linear feet as well as completing a section of Senate Street from the new roadway to the west. This project will also entail the relocation of power lines and gas lines.

\*\*\*\*Riverbanks Zoo Transportation-Related Projects: Improvements would address Interstate 126 at Greystone Boulevard.

\*\*\*\*\*Any savings from Broad River Road / I-20 Interchange project will be applied to the Broad River Road Corridor Improvements.

Other: Widening of Ridgewood / North Main Extension (Columbia portion) from Dixie Avenue to North Main Street was removed from the projects list, as no funding is required since this project will be funded by the City. Intersection of Lake Murray Boulevard and Kinley Road was removed, as improvements have been completed. Town of Blythewood to provide input on its projects. Emphasis to be placed on local / small / minority firms. A process is to be developed to ensure participation by these firms. A partnership with DOT is recommended. The type and level of partnership is TBD. An in-house Transportation Director was approved. The recommendation to procure an outside Program / Project Management firm was approved. An oversight / accountability / "watchdog" committee was approved. Membership / duties of this Committee TBD.

# Columbia Riverfront Gateway Project



**Project Location:**  
**Application Type:**  
**Applicant Name:**  
**Eligible Applicant Type:**  
**BUILD Funds Requested:**

**Columbia, SC (6<sup>th</sup> Congressional District)**  
**Capitol**  
**City of Columbia, SC**  
**Local Government**  
**\$15,898,815**

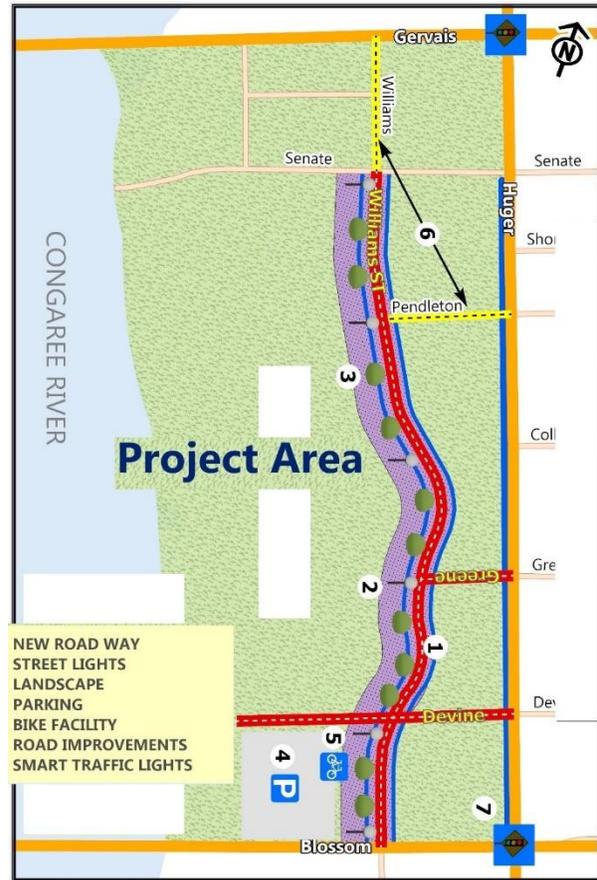
# Executive Summary

## Proposed Project

The *Columbia Riverfront Gateway Project* will construct approx. 4,000 ft. of new roads, improve 1,000 ft. of existing roads, create 3,000 ft. of new sidewalks, and install “smart signals” along 5,750 ft. of roadway. The completed project will alleviate traffic congestion and reduce travel times, increase land productivity and development opportunities, and improve connectivity and accessibility.

## Current Condition

In its current state, the project area is a relatively untouched 60-acre expanse of land on the western edge of Columbia, SC, along the Congaree River. There are no streets within the interior, and only a few exist along the periphery, which are in poor condition. The road that borders the project area to the east serves as a primary artery for Columbia and is heavily congested with an average daily traffic count of 26,700. It has no sidewalks but is situated among and connects six large, high-occupancy sporting, arts, and tourism venues. Over the past two decades, the vehicle miles traveled in Columbia have increased about 20% while the population of the Census Tract that includes the project has increased 50%. No river access exists in the project area; more than two thirds of its total land mass has no structures present; and the buildings that do exist are old and under-utilized. No water or sewer services and no utilities are within the interior. All sections of the City Central have experienced significant growth *except* the project area; development stops where the infrastructure ends.



## Anticipated Changes

Once completed, the project will provide local and regional benefits by:

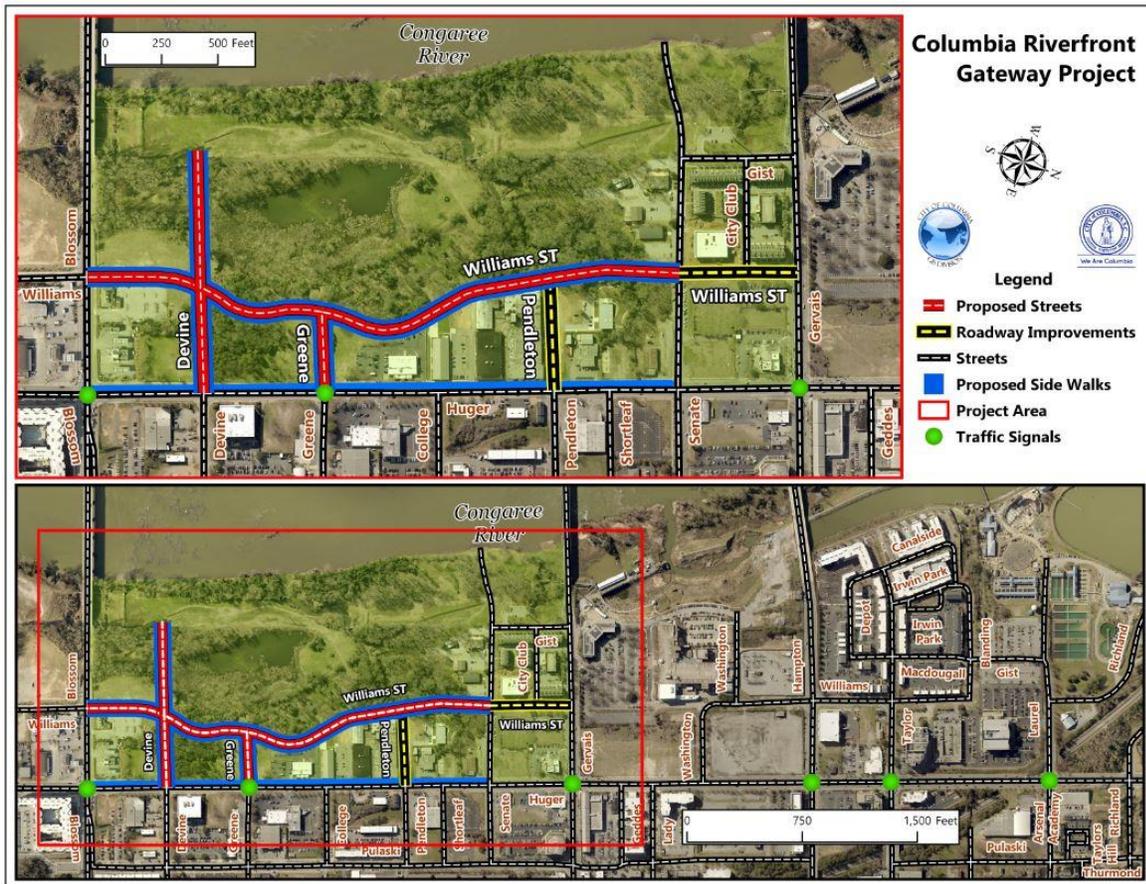
- Alleviating travel bottlenecks, offering transportation alternatives, and moving people, goods, and services safer, quicker, and more efficiently.
- Creating the potential for approx. 1.5 million sq. ft. of development, \$2.2 million in new property taxes, and 260 immediate and 1,400 future jobs.
- Providing river access to residents and tourists, and supplying a critical missing link to a larger, regional bicycle-pedestrian greenway.

# I. Project Description

## Overview

The *Columbia Riverfront Gateway Project* will provide infrastructure needed to positively impact the quality of life and economic competitiveness of Columbia, South Carolina. The project will develop new roadways, enhance existing roadways, and offer an alternative for motorists, pedestrians, and cyclists along a major corridor of Columbia. These improvements will be the catalyst for growth within an otherwise undeveloped span of waterfront property and a major step toward access of Columbia’s untapped shoreline. This project will mitigate traffic flow problems, reduce accidents, and result in substantial public riverfront and private development opportunities, both of which currently do not exist.

Specifically, the *Columbia Riverfront Gateway Project* will lengthen Williams Street from Gervais Street to Blossom Street. It will extend Greene Street so it intersects with the newly created Williams Street. Devine Street will be lengthened to intersect Williams Street and then extend another 1.5 blocks toward the river. Moderate improvements will also be made to a one-block sections of existing streets that intersect with the proposed new roadway. Sidewalks will be added along the eastern edge of the project area on Huger Street, and “smart signal” technology will be installed along this entire corridor.



## Detailed Statement of Work

- Construct a new roadway (i.e., Williams Street) that connects Gervais Street (US Routes 1 and 378) to Blossom Street (US Routes 21 and 76), and extend existing roadways (i.e., Devine Street and Greene Street) from Huger Street (US Route 321) to the newly created roadway (i.e., Williams Street). Devine Street will traverse Williams Street and extend an additional 610 feet westward toward the Congaree River
  - Add significant sections of fill to overcome topographic challenges on-site due to existing storm water channels and an old abandoned railroad corridor.
  - Install curbs and gutters.
  - Install utilities to include storm drainage, water, sanitary sewer, and underground power to meet the needs of the corridor.
  - Enhance existing sidewalk connectivity and construct new sidewalks in conjunction with the proposed roadways.
  - Add ADA-compliant intersection ramps in areas where existing roadways connect to the proposed roadways.
- Install pedestrian-level lighting along the proposed roadways and sidewalks to encourage safe pedestrian access along the roadways.
- Install landscape along the roadway/sidewalk areas (e.g., trees along the street, landscaped medians in strategic areas, etc.).
- Incorporate parking along portions of the project, if and as feasible to support the parking demands in the area.
- Provide bike-friendly facilities to include bike lanes and bike racks and identify a location for a bike kiosk station.
- Add ADA-compliant sidewalks along Huger Street from Blossom Street to Gervais Street.
- Upgrade existing signalized intersections along Huger Street from Blossom Street to Laurel Street with smart signal technology, which adjusts signal timing to real-time traffic conditions.

| <b>Project Element</b>                       | <b>Estimated Cost</b> | <b>Non-Federal</b> | <b>BUILD Grant</b> | <b>Other Federal</b> |
|--|-----------------------|--------------------|--------------------|----------------------|
| Mobilization/Traffic Control/Quality Control | \$1,157,072           | \$236,692          | \$920,380          | \$0                  |
| Grading                                      | \$867,804             | \$177,519          | \$690,285          | \$0                  |
| Roadway                                      | \$1,446,339           | \$295,865          | \$1,150,474        | \$0                  |
| Drainage/Erosion Control                     | \$1,349,917           | \$276,141          | \$1,073,776        | \$0                  |
| Landscape                                    | \$2,314,143           | \$473,384          | \$1,840,759        | \$0                  |
| Traffic Signalization (6 intersections)      | \$192,845             | \$39,449           | \$153,396          | \$0                  |
| Water & Sewer Improvements                   | \$771,381             | \$157,795          | \$613,586          | \$0                  |
| Street Lighting                              | \$289,268             | \$59,173           | \$230,095          | \$0                  |
| Electrical                                   | \$1,253,494           | \$256,416          | \$997,078          | \$0                  |
|  |                       |                    |                    |                      |

|  |              |             |              |     |
|--|--------------|-------------|--------------|-----|
| Construction Subtotal                      | \$9,642,263  | \$1,972,433 | \$7,669,830  | \$0 |
| 20% Contingency                            | \$1,928,453  | \$394,487   | \$1,533,966  | \$0 |
|  |              |             |              | \$0 |
| Construction Costs                         | \$11,570,715 | \$2,366,920 | \$9,203,795  | \$0 |
|  |              |             |              | \$0 |
| Design Services (%4 of Construction Costs) | \$496,229    | \$101,509   | \$394,720    | \$0 |
| CM/CEI Services (7% of Construction Costs) | \$868,400    | \$177,641   | \$690,759    | \$0 |
|  |              |             |              |     |
| Right of Way Acquisition                   | \$6,799,000  | \$1,390,812 | \$5,408,188  | \$0 |
| Temporary Right of Way Acquisition         | \$253,134    | \$51,781    | \$201,353    | \$0 |
|  |              |             |              |     |
|  |              |             |              |     |
| TOTALS                                     | \$19,987,478 | \$4,088,663 | \$15,898,815 | \$0 |
|  |              |             |              |     |
|  |              |             |              |     |

**De-scope Plan as Approved by County Council on May 5,  
2020  
Transportation Project Summary**

**General**

Since the implementation of the Penny Tax, the program has experienced a significant amount of cost increases. These increases throughout the last several years are primarily due to the increase in the cost of construction and materials, project overdesigns and also the cost of utility relocations that were not originally included in the Parsons Brinckerhoff study (the study that was the basis for the project list and project costs included in the referendum).

To date, some of the projects whose construction is already complete had costs that were less than their referendum amounts. These remaining funds can be applied to other projects.

In order to bring the program back into the total program budget, all projects that are not currently under construction were re-evaluated to determine a path forward. The two options available to best achieve this goal are:

Option 1: Evaluate the remaining projects in order to de-scope them based on the following criteria:

1. Addressing and improving safety issues (based on crash data analysis)
2. Addressing and improving traffic capacity\flow issues (traffic study data)
3. Economic development

Option 2: Complete projects in each category based on their rank. This will require that some projects not be completed.

**Safety**

Currently safety on their roadway system is one of the top goals for the South Carolina Department of Transportation (SCDOT). This is due to South Carolina roadways having such a high fatality rate, including drivers, motorcyclists, and pedestrians. See **Table 1** below for Richland County fatalities from January 1 through December 8 over the last several years. Addressing safety issues should be a top priority for Richland County as well.

**Table 1 – Richland County Fatality Data (SC Dept. of Public Safety)**

| 2019 | 2018 | 2017 | 2016 |
|------|------|------|------|
| 46   | 48   | 48   | 62   |

The following roadways near the proposed project locations had fatalities occurring during their crash data analysis timeframes: Atlas Rd. between Shop Rd and Garners Ferry (1), Broad River Rd. (1), Shop Rd. (2), and Decker Blvd. (1).

Also for the projects where crash data was provided, all had crashes during the analysis timeframe that had injuries as the result of the crashes.

## **Recommendation**

The Transportation Department recommends proceeding with option 1. This will allow at least some portion of every project voted in by Richland County citizens to be completed. It is recommended to evaluate and address any safety issues with each project first. If a project does not have a specific safety issue, it is then recommended to apply the second criteria and address traffic capacity\flow issues. Finally, if a project does not specifically address safety or capacity\flow issues, it will be evaluated to determine any economic development benefits which only applies to three projects.

The remaining projects not under construction have been broken up into two groups: Under Referendum Amount and Over Referendum amount. The above mentioned process has been applied to each group, with the following exceptions:

1. Sidewalks – Council has already approved completing the first 50 out of 56 projects
2. Dirt Road Paving Program – The number of roads completed will automatically be capped at the referendum amount
3. Resurfacing Program - The number of roads completed will automatically be capped at the referendum amount
4. Greenways – Council has already approved changes to the Greenway to stay within the referendum amount
5. Bikeways - The number of bikeways completed will automatically be capped at the referendum amount

See **Table 2** for a list of completed construction projects, their referendum amounts, their original cost estimates, and their final costs.

See **Tables 3.A and 3.B** for a list of remaining projects not under construction, their referendum amounts, their revised cost estimates based on descopes, and their projected cost savings.

**Tables 4.A-D** show how many projects can be completed if no projects are descoped. The projects in each category are listed in ranked order.

**Table 2 – Completed Projects**

| <b>Project</b>          | <b>District</b> | <b>Referendum</b>   | <b>Original Estimate</b> | <b>Final Cost</b>   |
|-------------------------|-----------------|---------------------|--------------------------|---------------------|
| Bluff Widening Ph. 1    | 10              | \$11,400,000 *      | \$9,598,720              | \$9,724,498         |
| Clemson\Rhame Int.      | 8, 9            | \$3,500,000         | \$4,096,203              | \$3,852,225         |
| Broad River\Rushmore    | 2               | \$3,700,000         | \$1,213,739              | \$1,196,893         |
| Farrow\Pisgah Church    | 7               | \$3,600,000         | \$2,243,860              | \$2,068,722         |
| N. Springs\Risdon       | 8, 9            | \$1,800,000         | 1,936,802                | \$1,883,943         |
| Summit\Summit Ridge     | 8, 9            | \$500,000           | \$1,425,120              | \$1,407,819         |
| Kennerly\Coogler        | 1               | \$1,900,000         | \$2,736,144              | \$2,598,629         |
| Wilson\Pisgah Church ** | 7               | \$3,600,000         | \$0                      | \$405               |
| Wilson\Killian ***      | 7               | \$2,600,000         | \$0                      | \$405               |
| Zoo Ped. Bridge         | 5               | \$4,000,000         | \$3,345,525              | \$3,345,525         |
| Innovista Ph. 1         | 5               | \$17,897,970        | \$18,119,764             | \$17,897,970        |
| Shop Ext. Ph. 1         | 10              | \$35,163,888        | \$35,163,888             | \$32,446,866        |
| Lincoln Tunnel          | 4, 5            | \$892,739           | \$1,496,947              | \$1,512,061         |
| Ped. Improvements       | 3-10            | \$2,836,080         | \$1,136,080              | \$802,664           |
| <b>TOTAL</b>            |                 | <b>\$93,390,677</b> | <b>\$82,512,792</b>      | <b>\$78,738,625</b> |

\* Amount from original referendum amount plus \$1.8M from outside funding

\*\*Wilson\Pisgah Church Rd. Intersection was completed by SCDOT.

\*\*\* Wilson\Killian Intersection was completed by SCDOT.

There is approximately \$14,652,052 remaining from these completed projects.

**Table 3.A – Remaining Projects Over Referendum And Not Under Construction**

| <b>Project</b>        | <b>District</b> | <b>Referendum</b>    | <b>Original Estimate</b> | <b>Descope Estimate</b> |
|-----------------------|-----------------|----------------------|--------------------------|-------------------------|
| Atlas Widening        | 10,11           | \$17,600,000         | \$45,308,464             | \$36,300,000            |
| Bluff Ph. 2           | 10              | \$8,800,000 *        | \$40,341,854             | \$3,500,000             |
| Blythewood Widening   | 2               | \$8,000,000          | \$13,208,127             | \$13,208,127            |
| Broad River Widening  | 1               | \$29,000,000         | \$39,663,756             | \$30,000,000            |
| Lower Richland Widen. | 11              | \$6,100,000          | \$6,708,092              | \$5,000,000             |
| Polo Widening\Bike    | 8-10            | \$13,875,853         | \$15,865,241             | \$10,600,000            |
| Shop Widening         | 10              | \$33,100,000         | \$46,461,612             | \$32,000,000            |
| Spears Creek Church   | 9,10            | \$26,600,000         | \$49,492,027             | \$20,000,000            |
| Pineview Rd.          | 10,11           | \$18,200,000         | \$39,927,057             | \$8,000,000             |
| Bull\Elmwood Inter.   | 4               | \$2,000,000          | \$3,798,911              | \$3,798,911             |
| Clemson\Sparkleberry  | 9,10            | \$5,100,000          | \$12,780,946             | \$12,500,000            |
| Screaming Eagle\Perc. | 9,10            | \$1,000,000          | \$3,105,147              | \$1,600,000             |
| <b>TOTAL</b>          |                 | <b>\$169,375,853</b> | <b>\$316,661,234</b>     | <b>\$176,507,038</b>    |

\* Amount leftover from combined phases 1 and 2 referendum amount

**Table 3.B – Remaining Projects Under Referendum And Not Under Construction**

| <u>Project</u>        | <u>District</u> | <u>Referendum</u>    | <u>Original Estimate</u> | <u>Descope Estimate</u> |
|-----------------------|-----------------|----------------------|--------------------------|-------------------------|
| Blythewood Area Impr. | 2               | \$21,000,000         | \$13,000,000             | \$13,000,000            |
| Leesburg Widening     | 10,11           | \$4,000,000          | \$4,000,000              | \$4,000,000             |
| I-20 Interchange      | 2,4,5           | \$52,500,000         | \$52,500,000             | \$52,500,000            |
| Garners Ferry\Harmon  | 11              | \$2,600,000          | \$1,583,878              | \$50,000                |
| Shop Ext. Ph. 2       | 10,11           | \$42,300,000 *       | \$40,112,788             | \$27,000,000            |
| Innovista Ph. 3       | 5               | \$5,700,000 *        | \$23,907,450             | \$0                     |
| Kelly Mill Rd.        | 2,9             | \$4,500,000          | \$4,500,000              | \$4,500,000             |
| Commerce Dr.          | 5,10            | \$5,000,000          | \$5,000,000              | \$5,000,000             |
| Broad River Corridor  | 2,4,5           | \$20,435,500         | \$21,818,057             | \$14,200,000            |
| Crane Creek NIP       | 4,7             | \$14,385,000         | \$14,385,000             | \$8,000,000             |
| Decker\Woodfield NIP  | 3,8,10          | \$12,343,000         | \$13,156,741             | \$8,000,000             |
| Trenholm NIP          | 3               | \$5,390,658          | \$5,390,658              | \$4,900,000             |
| Bikeways              | 2-11            | \$22,008,773         | \$22,008,773             | \$22,008,773            |
| <b>TOTAL</b>          |                 | <b>\$212,162,931</b> | <b>\$221,363,345</b>     | <b>\$163,158,773</b>    |

\* Amounts left over from original referendum amounts after earlier phases were completed.

|                                 |   |   |
|---------------------------------|---|---|
| <b>Total Referendum Amounts</b> | - | <b>\$381,538,784 (Excludes projects under construction)</b> |
| <b>Total Original Estimates</b> | - | <b>\$538,024,579</b>  |
| <b>Total Descope Estimates</b>  | - | <b>\$339,665,811</b>  |

If descope recommendations are approved, the new estimates will be \$41,872,973 under the referendum amount. Adding this to the approximately \$14,652,052 leftover from completed projects, there is estimated to be roughly \$56,525,025 remaining. Options to use this funding are 1) as a reserve for any needed contingencies if the descope estimates need to be adjusted, 2) put towards completing more Dirt Road Paving or Resurfacing projects, or 3) put towards completing additional sidewalk projects.

However, as shown in the projects highlighted in red in **Tables 4.A-B**, to proceed down the ranked list and complete the projects with their original scopes, four widening projects and one intersection project will not be constructed.

**Table 4.A – Remaining Widening Projects Without Descopes**

| Category        | Project                    | Referendum           | Original Estimate    |
|-----------------|----------------------------|----------------------|----------------------|
| Widening        | Leesburg Rd.               | \$4,000,000          | \$4,000,000          |
| Widening        | Lower Richland Blvd.       | \$6,100,000          | \$8,738,400          |
| Widening        | Bluff Area Impr.           | \$16,700,000         | \$40,341,854         |
| Widening        | Polo Rd.                   | \$12,800,000         | \$15,865,241         |
| Widening        | Pineview Rd.               | \$18,200,000         | \$39,927,056         |
| Widening        | Shop Rd.                   | \$33,100,000         | \$44,011,687         |
| <b>Widening</b> | <b>Atlas Rd.</b>           | <b>\$17,600,000</b>  | <b>\$44,797,948</b>  |
| Widening        | Blythewood Rd.             | \$8,000,000          | \$14,713,963         |
| <b>Widening</b> | <b>Broad River Rd.</b>     | <b>\$29,000,000</b>  | <b>\$39,663,756</b>  |
| <b>Widening</b> | <b>Spears Creek Church</b> | <b>\$26,600,000</b>  | <b>\$49,492,027</b>  |
| <b>TOTAL</b>    |                            | <b>\$172,100,000</b> | <b>\$301,551,932</b> |

**Table 4.B – Remaining Intersection Projects Without Descopes**

| Category            | Project                     | Referendum          | Original Estimate   |
|---------------------|-----------------------------|---------------------|---------------------|
| Intersection        | Garners Ferry\Harmon        | \$2,600,000         | \$1,583,878         |
| <b>Intersection</b> | <b>Clemson\Sparkleberry</b> | <b>\$5,100,000</b>  | <b>\$12,780,946</b> |
| Intersection        | Bull\Elmwood                | \$2,000,000         | \$3,798,811         |
| Intersection        | Screaming Eagle\Perc.       | \$1,000,000         | \$3,107,149         |
| <b>TOTAL</b>        |                             | <b>\$10,700,000</b> | <b>\$21,270,784</b> |

**Table 4.C – Remaining Special\NIP Projects Without Descopes**

| Category           | Project                | Referendum           | Original Estimate    |
|--------------------|------------------------|----------------------|----------------------|
| <b>Special</b>     | Shop Ext. Ph. 2        | \$42,300,000         | \$40,112,788         |
| <b>Special</b>     | Kelly Mill Rd.         | \$4,500,000          | \$4,500,000          |
| <b>Special</b>     | <b>Innovista Ph. 3</b> | <b>\$5,700,000</b>   | <b>\$23,907,450</b>  |
| <b>Special\NIP</b> | Broad River Corridor   | \$20,435,500         | \$14,200,000 *       |
| <b>Special\NIP</b> | Crane Creek            | \$14,385,000         | \$8,000,000 *        |
| <b>Special\NIP</b> | Decker\Woodfield       | \$12,343,000         | \$8,000,000 *        |
| <b>Special\NIP</b> | Trenholm               | \$5,390,658          | \$4,900,000 *        |
| <b>Special</b>     | Commerce Dr.           | \$5,000,000          | \$5,000,000          |
| <b>TOTAL</b>       |                        | <b>\$110,054,158</b> | <b>\$108,620,238</b> |

\* NIP project estimates are listed as the revised estimates after the removal of landscaped medians, lighting, mast arms, and undergrounding of utilities.

**Table 4.D – Remaining Other Projects Without Descopes**

| Category           | Project          | Referendum   | Original Estimate |
|--------------------|------------------|--------------|-------------------|
| <b>Interchange</b> | I-20\Broad River | \$52,500,000 | \$52,500,000      |
| Bikeways           | Bikeways         | \$22,008,773 | \$22,008,773      |

## **INNOVISTA PH. 3 PROJECT**

### **Original Project Scope**

This project, also known as the Williams Street Extension, consists of constructing a new roadway from Blossom Street to Gervais Street, approximately (2,650') and also completing a section of Senate Street from the new roadway to the west.

**Referendum Funding** - \$50,000,000 for 3 phases **Current Cost Estimate** – \$23,907,450

This cost estimate was provided by the City of Columbia in 2014. There is no record of an estimate from the former PDT. Greene St. phases 1 and 2 accounts for approximately \$17.9M and \$26.4M leaving only \$5.7M to complete phase 3.

**Traffic Analysis and Results** – None performed

**Public Input Results** - No public meetings held to date for this project

**Right-Of-Way** - No ROW has been obtained at this time.

### **Possible Design Modifications to Lower Cost**

1. Because the cost estimate is approximately four times the amount remaining for this phase, and because this project does not address safety or capacity issues, it is recommended to not proceed with phase 3. **Savings \$5.7M**

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

|  |                                |                                   |                |
|--|--------------------------------|-----------------------------------|----------------|
| <b>Prepared by:</b>                                | Michael Niermeier              | <b>Title:</b>                     | Director       |
| <b>Department:</b>                                 | Transportation                 | <b>Division:</b>                  |                |
| <b>Date Prepared:</b>                              | April 12, 2021                 | <b>Meeting Date:</b>              | April 27, 2021 |
| <b>Legal Review</b>                                | Elizabeth McLean via email     | <b>Date:</b>                      | April 13, 2021 |
| <b>Budget Review</b>                               | James Hayes via email          | <b>Date:</b>                      | April 22, 2021 |
| <b>Finance Review</b>                              | Stacey Hamm via email          | <b>Date:</b>                      | April 13, 2021 |
| <b>Office of Small Business Opportunity Review</b> | Erica Wade via email           | <b>Date:</b>                      | April 22, 2021 |
| <b>Approved for consideration:</b>                 | Assistant County Administrator | John M. Thompson, Ph.D., MBA, CPM |                |
| <b>Committee</b>                                   | Transportation Ad Hoc          |                                   |                |
| <b>Subject:</b>                                    | TIP 2 – Old Garners Ferry Rd.  |                                   |                |

**STAFF’S RECOMMENDED ACTION:**

Staff requests Council to approve the award of the Transportation Improvement Contract 2 (TIP 2) – Old Garners Ferry Rd. contract to Palmetto Corp. of Conway in the amount of \$471,916.45 with a 15% contingency in the amount of \$70,787.46 for a total amount of \$542,703.91

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

|   |                                     |     |                                     |    |
|---|-------------------------------------|-----|-------------------------------------|----|
| Are funds allocated in the department’s current fiscal year budget? | <input checked="" type="checkbox"/> | Yes |                                     | No |
| If no, is a budget amendment necessary?                             |                                     | Yes | <input checked="" type="checkbox"/> | No |

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

This funding will come from the \$664,160.39 currently available in the FY21 Budget for this project.

For Budget Use: JL 13320301

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

None.

**REGULATORY COMPLIANCE:**

None applicable.

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

|                |  |
|----------------|--|
| Council Member |  |
| Meeting        |  |
| Date           |  |

#### STRATEGIC & GENERATIVE DISCUSSION:

The TIP 2 – Old Garners Ferry Rd. project consists of repairing and resurfacing approximately 1.1 miles of roadway and addressing flooding in the roadway at several locations. This project was submitted to the Office of Small Business Opportunities (OSBO) who determined that the SLBE goal for this project would be 0% due to current lack of an SLBE that could perform any of the related work on the project.

#### ADDITIONAL COMMENTS FOR CONSIDERATION:

The Engineer's Cost Estimate for this project (with a 10% contingency) was \$664,160.39. Three bids were received for this project, and Palmetto Corp. of Conway was deemed to be the lowest, responsive and responsible bidder. A 15% contingency is being requested for this project for several reasons.

1. This falls in line with the way Public Works handles their projects, and staff is working to bring the Department into uniformity with the rest of the County.
2. 15% is also being requested on this specific project because half of the roadway is currently concrete with an asphalt layer on top. This project will remove that existing asphalt and then seal any cracks in the existing concrete before placing a geogrid and new asphalt. It is unknown at this time what condition the concrete under the asphalt is in so during construction the need may arise to replace some of the concrete.
3. Finally, there will be some minor ditch work that needs to be performed so this extra contingency will cover any utility conflicts that may arise during construction.

#### ATTACHMENTS:

1. Procurement Recommendation Package
2. Engineer's Cost Estimate

**RICHLAND COUNTY FINANCE DEPARTMENT  
PROCUREMENT DIVISION**

2020 Hampton Street, Suite 3064  
Columbia, SC 29201  
803-576-2130

Attachment 1



April 12, 2021

Re: Richland County Old Garners Ferry Rd Resurfacing RC-405-B-2021

Dear Mr. Niermeier:

A virtual bid opening was held at 2:00 p.m. EDT on Tuesday, April 6, 2021 via the Richland County's online bidding system (Bonfire) for the project referenced above. The Richland County Procurement and Contracting Office has reviewed the bids received, which were submitted via Bonfire and found no discrepancies. The bids received were as follows:

|                                 |               |
|---------------------------------|---------------|
| Palmetto Corp of Conway         | \$ 471,916.45 |
| C.R. Jackson, Inc.              | \$ 643,169.00 |
| Lynches River Contracting, Inc. | \$ 664,779.50 |

Further review shows that Palmetto Corp of Conway is duly licensed in South Carolina to perform this work.

A non-mandatory pre-bid conference was held at 10:30 a.m. on March 11, 2021 to allow attendees to gain information and bidding directives for the project.

Attached is the final bid tab sheet for your reference.

I recommend that a contract be awarded to the lowest responsive and responsible bidder, Palmetto Corp of Conway.

Sincerely,

*Virginia Goodson*

Virginia Goodson

Contract Specialist

CC: Jennifer Wladischkin, Procurement Manager

Erica Wade, OSBO Manager

Old Garner Ferry Rd Bid Tab RC-405-B-2021

|                   |   |  |   |
|-------------------|---|--|---|
| <b>Total Cost</b> | <b>C.R. Jackson, Inc.</b><br>\$ 643,169.0 | <b>Lynches River Contracting, Inc.</b><br>\$ 664,779.5 | <b>Palmetto Corp of Conway</b><br>\$ 471,916.45 |
|-------------------|---|--|---|

Attachment 2

| FINAL CONSTRUCTION COST ESTIMATE FOR REHABILITATION OF OLD GARNERS FERRY ROAD (RICHLAND COUNTY) |  |             |               |                 |              |
|---|--|-------------|---------------|-----------------|--------------|
| ITEM NO   | DESCRIPTION OF SCHEDULED ITEM                                      | UNIT PRICE  | ESTIMATED QTY | UNIT OF MEASURE | TOTAL PRICE  |
| 1031000   | MOBILIZATION   | \$42,124.34 | 1             | LS              | \$42,124.34  |
| 1050800   | CONSTR. STAKES, LINES, & GRADES                                    | \$6,000.00  | 1             | LS              | \$6,000.00   |
| 1071000   | TRAFFIC CONTROL  | 15,000.00   | 1             | LS              | \$15,000.00  |
| XXXXXXX   | SHOULDER<br>GRADING/DRAINAGE/TEMPORARY<br>EROSION CONTROL/GRASSING | \$7,500.00  | 1             | LS              | \$7,500.00   |
| 2037010   | GEOGID REINFORCEMENT (BIAXIAL)                                     | \$8.00      | 15,015        | SY              | \$120,120.00 |
| 4011004   | LIQUID ASPHALT BINDER PG64-22                                      | \$465.00    | 160           | TON             | \$74,400.00  |
| 4012060   | FULL DEPTH ASPHALT PAVEMENT<br>PATCHING (6" UNIF.)                 | \$75.00     | 125           | SY              | \$9,375.00   |
| 4013990   | MILLING EXISTING ASPHALT PAVEMENT<br>(VARIABLE)                    | \$3.25      | 6,519         | SY              | \$21,187.83  |
| 4020330   | HOT MIX ASPHALT INTERMEDIATE COURSE<br>- TYPE C                    | \$70.00     | 170           | TON             | \$11,865.00  |
| 4030320   | HOT MIX ASPHALT SURFACE COURSE -<br>TYPE B                         | \$91.00     | 2,260         | TON             | \$205,660.00 |
| 5041200   | CLEAN & SEAL LONGITUDINAL SHOULDER<br>JOINTS                       | \$3.50      | 11,700        | LF              | \$40,950.00  |
| 5041300   | CLEAN & SEAL TRANS. JOINTS   | \$4.25      | 3,120         | LF              | \$13,260.00  |
| 5051000   | ROUT, CLEAN, and SEAL CRACKS                                       | \$3.50      | 5,000         | LF              | \$17,500.00  |
| 6051120   | PERMANENT CONSTRUCTION SIGNS<br>(GROUND MOUNTED)                   | \$5.00      | 500           | SF              | \$2,500.00   |
| 6241010   | 4" WHITE SOLID LINES (PVT. EDGE LINES)-<br>PERM.PVMT.MARKING       | \$0.40      | 11,700        | LF              | \$4,680.00   |
| 6241025   | 24" WHITE SOLID LINES (STOP/DIAG LINES)-<br>PERM.PVMT.MARKING      | \$20.00     | 100           | LF              | \$2,000.00   |
| 6241074   | 4" YELLOW SOLID LINES(PVT.EDGE LINES)-<br>PERM.PVMT.MARKING        | \$0.40      | 11,700        | LF              | \$4,680.00   |
| 6250010   | 4" WHITE SOLID LINES(PVT.EDGE LINES)-<br>FAST DRY PAINT            | \$0.20      | 11,700        | LF              | \$2,340.00   |
| 6250025   | 24" WHITE SOLID LINES (STOP/DIAG LINES)-<br>FAST DRY PAINT         | \$3.00      | 100           | LF              | \$300.00     |
| 6250110   | 4" YELLOW SOLID LINES(PVT.EDGE LINES)-<br>FAST DRY PAINT           | \$0.20      | 11,700        | LF              | \$2,340.00   |

|   |              |
|---|--------------|
| Construction Subtotal w/Shoulder Grading/Drainage/Temporary Erosion Control/Grassing (w/o Mobilization) | \$561,657.83 |
| Mobilization (7.5%, to include Mobilization, Bonds, Construction Layout)                                | \$42,124.34  |
| Contingency (10%)   | \$60,378.22  |
| Total Estimated Project Cost  | \$664,160.39 |