

**BOARD OF COMMISSIONERS'
RESOLUTION**



2024 Flow Monitoring Services Contract Award

WHEREAS, the 2024 Flow Monitoring Services Agreement consists of operation and maintenance of 153 ReWa-owned flow meters as well as 64 temporary meters, data analysis, and equipment repair and replacement as identified in CHA Companies Scope of Work for the contract;

NOW, THEREFORE, BE IT RESOLVED that Renewable Water Resources does hereby award this Engineering services work to CHA Companies. for a cost not to exceed \$1,458,660 and that the Chief Executive Officer and/or his designee is hereby authorized to execute the contract.

The above Resolution, upon motion duly made, was passed and approved by the Board of Commissioners of Renewable Water Resources at a regular meeting held on the 18th day of December 2023.

R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:

CLINTON J. THOMPSON, SECRETARY/TREASURER

**BOARD OF COMMISSIONERS'
RESOLUTION**



Enoree Gravity Sewer Upgrade Pre-Construction Services Contract Amendment 1

WHEREAS, the Enoree Sewer Pre-Construction Services Contract Amendment 1 consists of approximately 3,840 LF of 36" ductile iron pipe for gravity sewer aerial crossings, small service piping, and appurtenances; 2,320 LF of 36" to 42" fiberglass reinforced pipe;

WHEREAS, Garney Companies, Inc., has previously been awarded \$123,642.00 for performing pre-construction services for the project; and

WHEREAS, Staff has negotiated a fee not to exceed \$2,127,586.60 for the pre-purchase of pipe in Contract Amendment 1;

NOW, THEREFORE, BE IT RESOLVED that Renewable Water Resources does hereby amend the contract with Garney Companies, Inc., and authorize the Chief Executive Officer and/or his designee to execute an amendment to bring the total contract to a not-to-exceed amount of \$2,251,228.60.

The above Resolution, upon motion duly made, was passed and approved by the Board of Commissioners of Renewable Water Resources at a regular meeting held on the 18th day of December 2023.

R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:

CLINTON J. THOMPSON, SECRETARY/TREASURER

**BOARD OF COMMISSIONERS'
RESOLUTION**



Butler Road SCDOT Relocation Rights of Way Acquisition

WHEREAS, the Butler Road SCDOT Relocation Project consists of relocating approximately 1100 LF of Gravity Sewer Pipe for the widening of Butler Road; and

WHEREAS, Staff and Renewable Water Resource's (ReWa) consulting engineer, CHA Companies, have determined it is necessary to acquire rights of way either by way of gift, purchase, or by the exercise of eminent domain;

WHEREAS, ReWa is a body politic under the laws of the State of South Carolina and has rights under the Eminent Domain Procedure Act;

NOW, THEREFORE, BE IT RESOLVED that the Chief Executive Officer and/or his designee are directed to proceed with this project and acquire through gift, purchase, or by exercise of eminent domain, rights of way and/or land over properties needed to construct, operate, and maintain the proposed infrastructure. This authority is to include, but not be limited to, the institution of any and all other actions reasonably associated with acquiring the necessary rights of way for construction.

BE IT FURTHER RESOLVED that in the event the rights of way cannot be acquired by gift or purchase, the Chief Executive Officer and/or his designee shall cause to be instituted condemnation proceedings to exercise ReWa's right of eminent domain under the provisions of S.C. Code Ann. Section 28-2-10, *et seq.* by way of trial as set forth in S.C. Code Ann. Section 28-2-240, as amended.

BE IT FURTHER RESOLVED that the Chief Executive Officer and/or his designee are authorized to negotiate special terms and conditions with property owners as part of such acquisition, where appropriate, which are not inconsistent with the needs of ReWa.

BE IT RESOLVED that should any lien holder, existing or otherwise, attempt to take any action or make any claims which would interfere with ReWa's right to construct, operate and maintain the Project, ReWa has rights under the law to counteract such interference, including the Right of Eminent Domain, pursuant to Title 28, Chapter 2 of the Code of Laws of South Carolina 1976, as amended, including Section 28-2-90, and ReWa affirms that it will take any such action necessary to counteract such interference.

RENEWABLE WATER RESOURCES
BOARD OF COMMISSIONERS' RESOLUTION

The above Resolutions, upon motion duly made, were passed and approved by the Board of Commissioners of ReWa at a regular meeting held on the 18th day of December 2023.



R. L. FOGLEMAN, JR., CHAIRMAN

ATTEST:



CLINTON J. THOMPSON, SECRETARY/TREASURER