



Orange Water and Sewer Authority

OWASA is Carrboro-Chapel Hill's not-for-profit public service agency delivering high quality water, wastewater, and reclaimed water services.

ADDENDUM 1 FOR **REQUEST FOR QUALIFICATIONS**

Morgan Creek Interceptor Replacement Project
CIP Project No. 276-59
Issue Date: October 22, 2021

SECTION 3: BACKGROUND AND PROJECT UNDERSTANDING

1. It is to be noted that the interceptor is located on University of North Carolina (UNC) owned property. OWASA currently has no easements on UNC owned properties but has a signed right of entry protocol with UNC as shown in Attachment 1 of this addendum.



ATTACHMENT 1

OWASA ACCESS TO PROPERTY OWNED BY THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL *RIGHT OF ENTRY PROTOCOL*

Background

Orange Water and Sewer Authority (OWASA) is responsible for providing water and sewer services for the University of North Carolina at Chapel Hill (UNC) pursuant to the Agreements of Sale and Purchase that were executed between OWASA and UNC on August 9, 1976.

Unlike its arrangements with other customers or with the Towns of Carrboro and Chapel Hill, OWASA has no easements on UNC-owned property in areas where OWASA-owned underground utilities are currently located; and OWASA is granted no easements for underground utilities for new construction projects on the UNC campus.

Although there is frequent communication between OWASA and UNC staffs regarding all utilities work that OWASA performs or needs to perform on the UNC campus, the turnover of personnel and other factors make it prudent to document basic policies so that UNC is kept apprised of upcoming/ongoing utilities work, and so that OWASA can rapidly gain access to UNC-owned property as needed to meet its obligations under the Agreements of Sale and Purchase.

Discussion

Below is a general summary of the categories of work that OWASA accomplishes on the UNC campus. This summary includes a brief definition of each category and a description of the approval/communications that OWASA is required to undertake for each category of work.

1. Operations, scheduled maintenance/repair, emergency maintenance/repair and component replacement of OWASA utility systems: This category includes operating the facilities-related components of OWASA's system, such as water storage tanks, pump stations; exercising valves, flushing water mains, cleaning sewer mains, video-inspecting sewer mains; replacing damaged water/sewer main pipe sections; clearing obstructions from sewer mains; replacing damaged water/sewer main pipe sections that are causing sewer spills/overflows, water loss; and replacing valves, water meters, etc.

Before performing any work on University property (or as soon as possible thereafter in the event of an emergency), OWASA will provide advance notice to, and will coordinate with, the University to the extent practical and prudent under the circumstances in order to minimize disruption to the University, including access to University facilities, pedestrian or vehicular traffic, activities within buildings, or impacts to building occupants. The primary points of contact at UNC for these communications are as follows, in order of priority:

- *Plant Maintenance Supervisor for UNC Plumbing Shop*
- *Lab Mechanic in UNC Plumbing Shop*
- *Water, Wastewater, and Stormwater Engineer*
- *After regular business hours, call UNC Public Safety*


2. Upgrade of system components, extensions of existing systems, and construction of new OWASA facilities: This category includes the replacement of water/sewer mains to increase pipe diameters, etc. in close proximity to existing utility lines; all work accomplished that involves clearing of land (excluding maintenance of utility corridors); all water/sewer main extensions; and construction of any facilities in areas where none currently exist.


Prior approval from UNC, in the form of a Right of Entry, is required. The information and format required for the Right of Entry is provided here as Attachment A. The primary point of contact at UNC for these communications is:

- *Wastewater, and Stormwater Engineer*

Action

The contents of this memorandum will be made available to, and complied with, by all appropriate OWASA and UNC staff personnel.

 8/30/07
Ed Kerwin (date)
Orange Water and Sewer Authority
Executive Director

 12/20/07
Carolyn W. Elfland (date)
University of North Carolina
Associate Vice Chancellor for
Campus Services

Attachment A

RIGHT OF ENTRY DOCUMENT FORMAT

DATE

Mr. Ed Kerwin
Orange Water & Sewer Authority
400 Jones Ferry Road
P.O. Box 366
Carrboro, NC 27510-0366

Re: Right of Entry for: PROJECT NAME/LOCATION

Dear Mr. Kerwin:

Please consider this letter as authorization for OWASA to go upon state lands allocated to the University of North Carolina at Chapel Hill for the limited purpose of:

INSERT DETAILED SCOPE OF PROJECT (i.e.. Upgrading systems/Extensions of existing system/Construction of new system. Include dimensions-length of line, diameter width of pipe- of sewer/water lines. General location. Projected construction start and completion dates.)

This right of entry and license shall apply to properties having the following PIN#s: (LIST PIN#S), Any construction activities associated with this project shall be limited to a 30 feet wide (or within the existing right of entry zone whichever is less) portion of the properties running in a (INSERT COMPASS DIRECTION i.e northwesterly) direction from /to (INSERT LOCATION DESCRIPTION) as shown on that certain map (GIVE MAP TITLE AND DATE i.e. "Mason Farm Wastewater Treatment Plant Reclaimed Water Pipeline Right of Entry Map" dated July 2007 by Hazen and Sawyer). which is attached hereto as **Exhibit A**. An aerial location map of the project is also attached as **Exhibit B**.

This right of entry and license is hereby granted pursuant to Section 4 of Appendix C to the Sewer Utility Agreement of Sale and Purchase (the "Agreement") dated August 9, 1976. Upon installation, all terms and conditions of the Agreement will be applicable to the operation, maintenance and repair to the sewer line shown in **Exhibit A**.

This authorization is subject to the following requirements:

- 1.) OWASA will notify the UNC Energy Services, Water, Wastewater, and Stormwater Manager before authorizing the contractor to start work on the Property described in **Exhibit A**.
- 2.) OWASA will require its contractor to establish a six foot high chainlink tree protection fence along the limits of construction in all areas of trees and environmentally sensitive areas.
- 3.) Erosion and sediment control fences will be installed as noted in the above-described **Exhibit A**.
- 4.) OWASA will require its contractor to provide an appropriate tarp over any stockpile of soil left at the site for any period longer than twenty-four (24) hours, to minimize erosion and sediment run-off. (INSERT NAME OF WATER BODY IF APPLICABLE i.e.) ~~running into~~ (Example: *Meeting of Waters Creek and NC Botanical Garden vernal pools*.) Soil and material stockpile locations shall be located and installed so as not to create access, tree, treeroot, erosion and/or sedimentation problems. ~~[THIS CLAUSE TO BE INSERTED WHEN THERE IS ANTICIPATED IMPACT ON WATER BODY I.E. STREAM, CREEK etc.]~~
- 5.) OWASA agrees to work in good faith with the University in developing a mutually acceptable alternative for ground cover (i.e. pathway material, vegetative protection) once the work is completed.
- 6.) The property will be restored to its original condition no later than thirty (30) days after the earliest of (i) construction completion, (ii) three years from the effective date of this right of entry, or (iii) the termination of this right of entry. Restoration will occur as segments of work are complete. For areas impacted by construction, all bare earth areas will be stabilized (i.e. with appropriate stabilization materials, including seeding) within one week.
- 7.) Temporary storage and staging areas shall be maintained to allow access for all existing utilities which pass through the area and shall comply with all erosion control measures listed herein at their perimeters.

This right of entry is made subject to any prior conveyances of record. The University of North Carolina at Chapel Hill shall have the right to terminate this right of entry for any reason at its sole and absolute discretion by giving OWASA ten days prior written notice. The University of North Carolina at Chapel Hill shall also have the right to immediately terminate this right of entry without prior written approval in the event that OWASA violates the terms of this right of entry.

To the extent of its general liability insurance coverage, OWASA agrees to indemnify and to hold harmless the University, and the State of North Carolina for any and all damages to UNC property or liability to third persons arising out of its completion of the project improvements herein contemplated.

If the terms of this right of entry are acceptable, please have an authorized representative of OWASA sign below, and return a fully executed original of this letter to the University Property Office at:

UNC Property Office

Campus Box #1060
215 W. Cameron Avenue
Chapel Hill, NC 27599-1060

Sincerely,

Richard L. Mann
Vice Chancellor for Finance and Administration

cc: Mr. Bruce L. Runberg
Ms. Patricia Crawford
Ms. Jannice Ashley
Ms. Margaret D. Holton

Agreed to and accepted this ____ day of _____

Orange Water & Sewer Authority

By: _____

Position: _____