

RESOLUTION NO. 21- 64

RESOLUTION TO APPROVE THE DEMOLITION AND REMOVAL OF THE VANCE MONUMENT, TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CHONZIE, INC. FOR THIS WORK, AND TO AUTHORIZE STAFF TO INITIATE A REQUEST FOR PROPOSALS TO DEVELOP A VISION DOCUMENT TO GUIDE THE FUTURE REPURPOSING OF THE VANCE MONUMENT AREA

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WHEREAS, in recent years the Vance Monument has become a center for protests and counter-protests regarding issues of racial equality as well as others; and

WHEREAS, on numerous occasions the monument has been vandalized and the city has received significant threats that members of the public will attempt to topple the structure; and

WHEREAS, it has become apparent that the monument poses a significant risk to the public safety as an unsafe and dangerous condition, and it is therefore necessary to take action to mitigate this hazard; and

WHEREAS, on June 9 and June 16, 2020 the Asheville City Council and Buncombe County Board of Commissioners, respectively, approved a joint resolution declaring the Vance Monument to be a public safety hazard, to take action to remove two confederate statues located at the Buncombe County Courthouse and Pack Square Park, and to establish a jointly appointed task force to recommend action regarding the potential removal or re-purposing of the Vance Monument; and

WHEREAS, pursuant to North Carolina General Statute 100-2.1(c)(3), the City may remove an object of remembrance such as the Vance Monument when a public official has determined that the object poses a threat to public safety because of an unsafe or dangerous condition; and

WHEREAS, on November 19, 2020, the City and County-appointed Vance Monument Task Force voted to recommend removal of the monument; and

WHEREAS, Asheville City Council wishes to remove and demolish the Vance Monument as a matter of public safety, and

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the demolition and removal of the Vance Monument; and

WHEREAS, Chonzie, Inc. was the lowest responsive and responsible bidder; and

WHEREAS, Chonzie, Inc. shall provide all labor, materials, and equipment for the demolition and removal of the Vance Monument; and

WHEREAS, the amount of the bid is \$114,150.00, and funding for the project is allocated within the Capital Improvement Program Fund; and

WHEREAS, Asheville City Council supports the concepts in Living Asheville, the City's Comprehensive Plan, including making continued investment in Pack Square Plaza as an important piece of civic infrastructure that brings residents and visitors into downtown Asheville, our region's cultural and economic hub; and

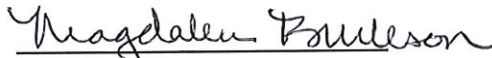
WHEREAS, Asheville City Council wishes to hold an inclusive community engagement process that will result in a Vision Document that will guide the future repurposing of Pack Square Plaza;

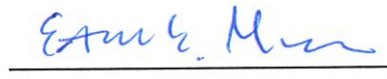
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City hereby reaffirms its determination and public proclamation that the Vance Monument, in its current condition, represents a significant public safety hazard due to the unsafe and dangerous condition that it creates, and that the City Manager is authorized to take action to effectuate its removal, and to authorize staff to initiate a visioning process for the Pack Square Plaza area; and


The City Manager is hereby authorized to execute a contract with Chonzie, Inc. in the amount of \$114,150., for the Vance Monument demolition and removal project; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of \$11,415. (10%).

Read, approved and adopted this the 23rd day of March, 2021.

  
City Clerk

  
Mayor

Approved as to form:

  
City Attorney

**Council Meeting Date:** March 23, 2021

**Staff Report**

**Subject:** Presentation of information on Vance Monument in response to Council request and general discussion.

**Staff Resource(s):** Jade Dundas, Capital Projects Director

**Action Requested:** Resolution directing the City Manager on action to be taken in regard to the Vance Monument; and a budget amendment in the amount of \$70,000 from General Fund unassigned fund balance for the cost of the comprehensive Community Vision Document.

**Background:**

- The Vance Monument has become a public safety threat in our community.
- On numerous occasions, the monument has been vandalized and the City has received significant threats that members of the public will attempt to topple the structure.
- In July 2020, the Vance Monument was shrouded with temporary leased scaffolding to reduce its impact on the community and to reduce the risk of harm it presents.
- On 11/19/2020, the Vance Monument Task Force voted to recommend removal of the monument.
- The City Attorney has confirmed that the City has the legal authority to remove the monument as its existence has been deemed a public safety hazard due to the dangerous and unsafe condition it presents.
- The City Council requested that staff provide information regarding the cost of potential removal of the monument and reuse of the site.
- Bids for the demolition and removal of the Vance Monument were advertised 01/07/2021 and opened on 01/28/2021.
- The duration for the removal, pending Council authorization, would be anticipated to take 45 calendar days.
- The bids are valid for 90 days.
- The following five bids for the monument removal were received:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
○ Neo Corporation	Canton, NC	\$ 157,000
○ Silvers and Associates, LLC	Burnsville, NC	\$ 495,000
○ Tennoca Construction Co.	Candler, NC	\$ 244,100
○ 4 Seasons Demolition, Inc.	Wilmington, NC	\$ 149,000
○ Chonzie, Inc.	Asheville, NC	\$ 114,150
- A comprehensive Community Vision Document that guides the future repurposing of the site is estimated to cost between \$50-\$70,000, depending on scope of services and requested schedule.
- Staff will utilize fund balance for the cost of the Vision Document; and seek funding partners to help offset that cost.
- The Vision document will provide direction concerning the next phase and expertise needed to determine final repurposing of the site or the monument.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority- and women-owned businesses through solicitation processes, which included posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority- & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- In addition, staff was able to break up the scope of work into multiple parts.
- One contract would address the monument demolition and removal.
- Separate from the Vance Monument removal contract, a temporary site restoration and landscape installation would be planned for the site where the Vance Monument stands.
- Outreach for separate site restoration work was performed following the Asheville Business Inclusion policy.

- A separate contract for site restoration would be awarded to MS Lean Landscaping, LLC in the amount of \$25,535.
- The City followed standard practice for selecting contractors and MS Lean Landscaping was the lowest responsive responsible bidder.
- MS Lean Landscaping is an Asheville African American-owned Business and award of the contract will result in 22.4% minority participation, when evaluating these separate contracts as a whole project.

**Council Goal(s):**

- An Equitable and Diverse Community; A Connected and Engaged Community; A Well Planned and Livable Community.

**Committee(s):**

- Vance Monument Task Force, 11/19/20 voted to recommend removal of the monument.

**Pro(s):**

- Presentation of Information only

**Con(s):**

- Presentation of information only

**Fiscal Impact:**

- If Council decides to move forward with removal, it should be noted that this action would be an unplanned capital expense.
- Each year as part of the Capital Improvement (CIP), staff budgets \$750,000 in contingency for unplanned expenses.
- Staff utilized \$248,485 from the FY21 CIP contingency to establish a project budget for expenses associated with the shrouding and potential removal of the monument.
- Funding partnerships would be sought to offset the costs associated with this removal project and the repurposing project.
- Potential funding partners include other local government agencies and possibly private grant providers for both the removal project and the repurposing project.

**Suggested Motion:**

Presentation of Information only. Council may now proceed with directing staff as to potential repurposing, removal, or taking no action with respect to the Vance Monument.

**Attachment(s)**

- Map of the area showing potential limits of removal and temporary restoration plan
- C - RFQ/RFP Outline: Pack Square Plaza Visioning Project

# Map of Vance Monument Demolition and Site Restoration





## **RFP OUTLINE: PACK SQUARE PLAZA PROJECT**

**RFP PURPOSE:** In the event of a decision by elected officials to remove the Vance monument, the City seeks to procure consultant services for planning and community engagement that result in the creation of a Community Vision Document for Pack Square Plaza in downtown Asheville. The Community Vision Document will serve as a guide to the future repurposing of the area.

- **Scope of Services will include** site inventory and analysis, community engagement plan and public meetings/charrettes; vision report including high-level concept narrative with programmatic elements to help aid future design; presentation to public and elected officials.
- **Anticipated timeline** is based on RFP release date in April 2021 with a deliverable this winter.
- **Funding has been identified** in the City's existing budget; partnership on funding possible.

### **OTHER KEY POINTS:**

- The deliverable will be a Community Vision Document with a concept plan narrative and a high-level concept design(s).
- The Vision Document will inform the City and County what professional services would be needed in order to repurpose the area in accordance with the community's vision.
- The RFP will include a list of project goals,
- The RFP will provide questions for the engagement process to answer e.g: "Should a new monument be installed in this area?" and "Should this area include more accessible public/green space?"
- The process and the deliverable will utilize the findings and recommendations of the Vance Monument Task Force.
- A draft budget for repurposing the area based on the community's vision will be developed in coordination with partners after the Vision Document is accepted.

# Vance Monument Information

## Demolition and Visioning Plan

March 23, 2021

**Jade Dundas**

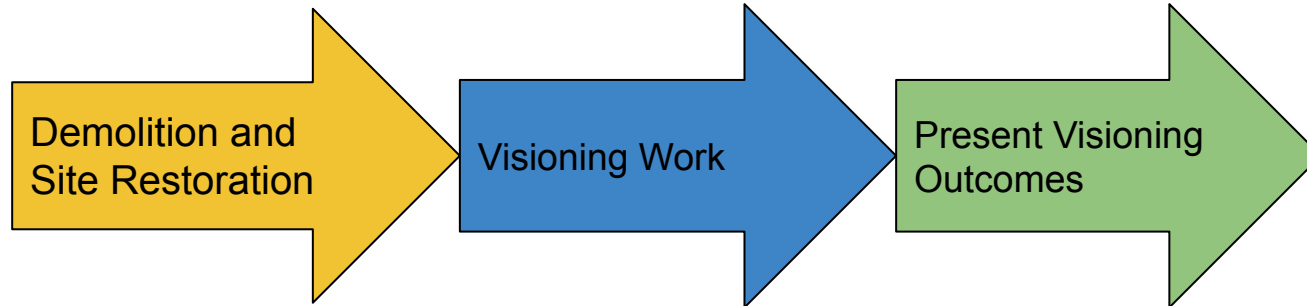
Director

Capital Projects Department



# Background

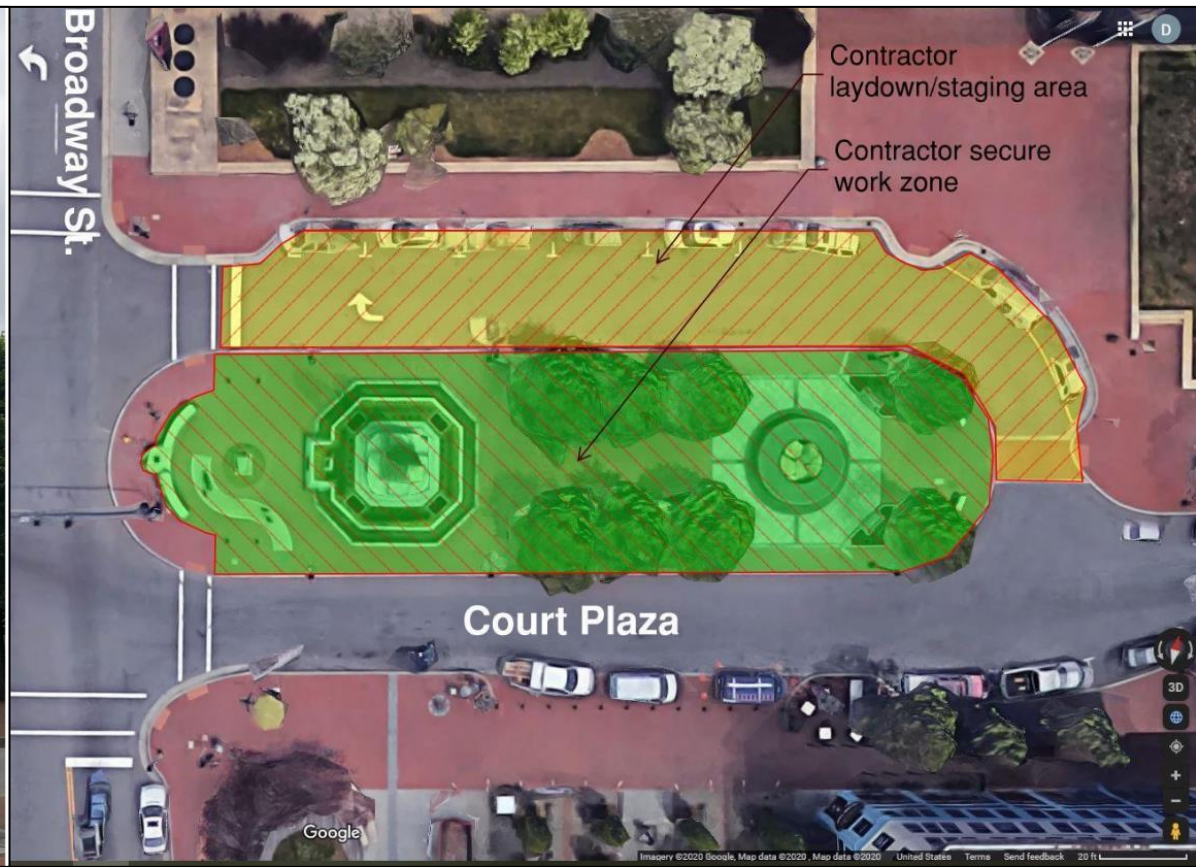
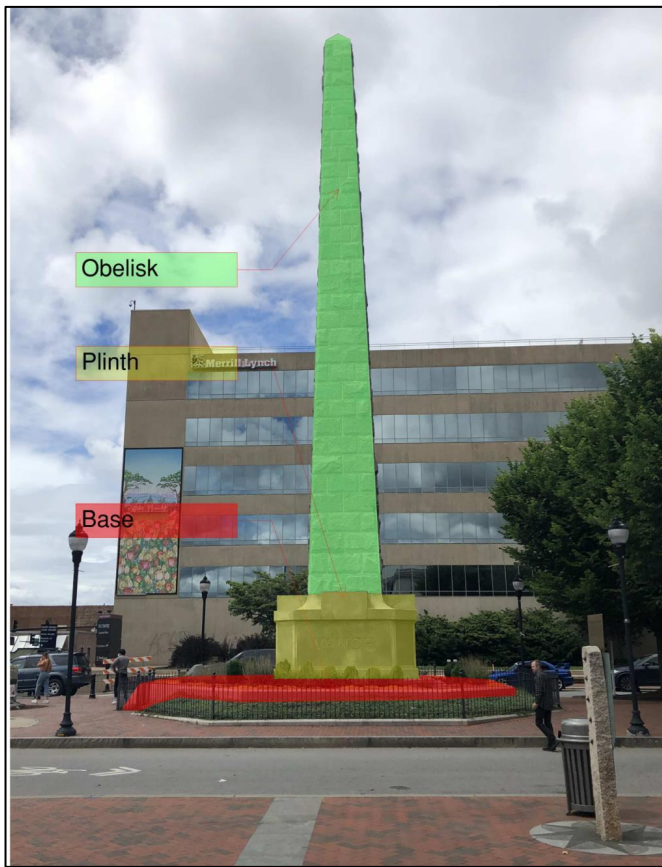
- The Vance Monument has become a public safety threat in our community. On numerous occasions, the monument has been vandalized and the City has received significant threats that members of the public will attempt to topple the structure.
- On 11/19/2020, the Vance Monument Task Force voted to recommend removal of the monument.
- The City Attorney has confirmed that the City has the legal authority to remove the monument as its existence has been deemed a public safety hazard due to the dangerous and unsafe condition it presents.
- The City Council requested that staff provide information regarding the cost of potential removal of the monument and revisioning of the site.



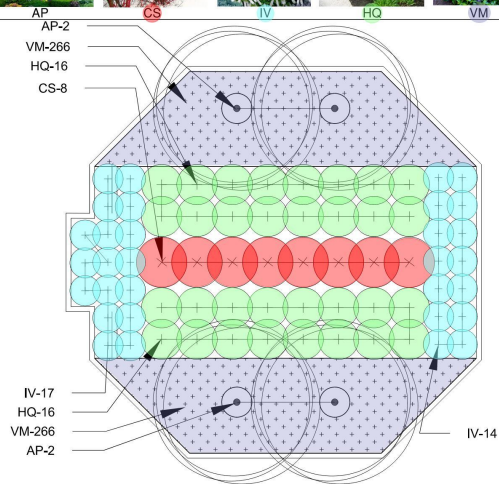
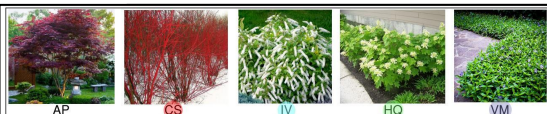








# Demolition and temporary site restoration

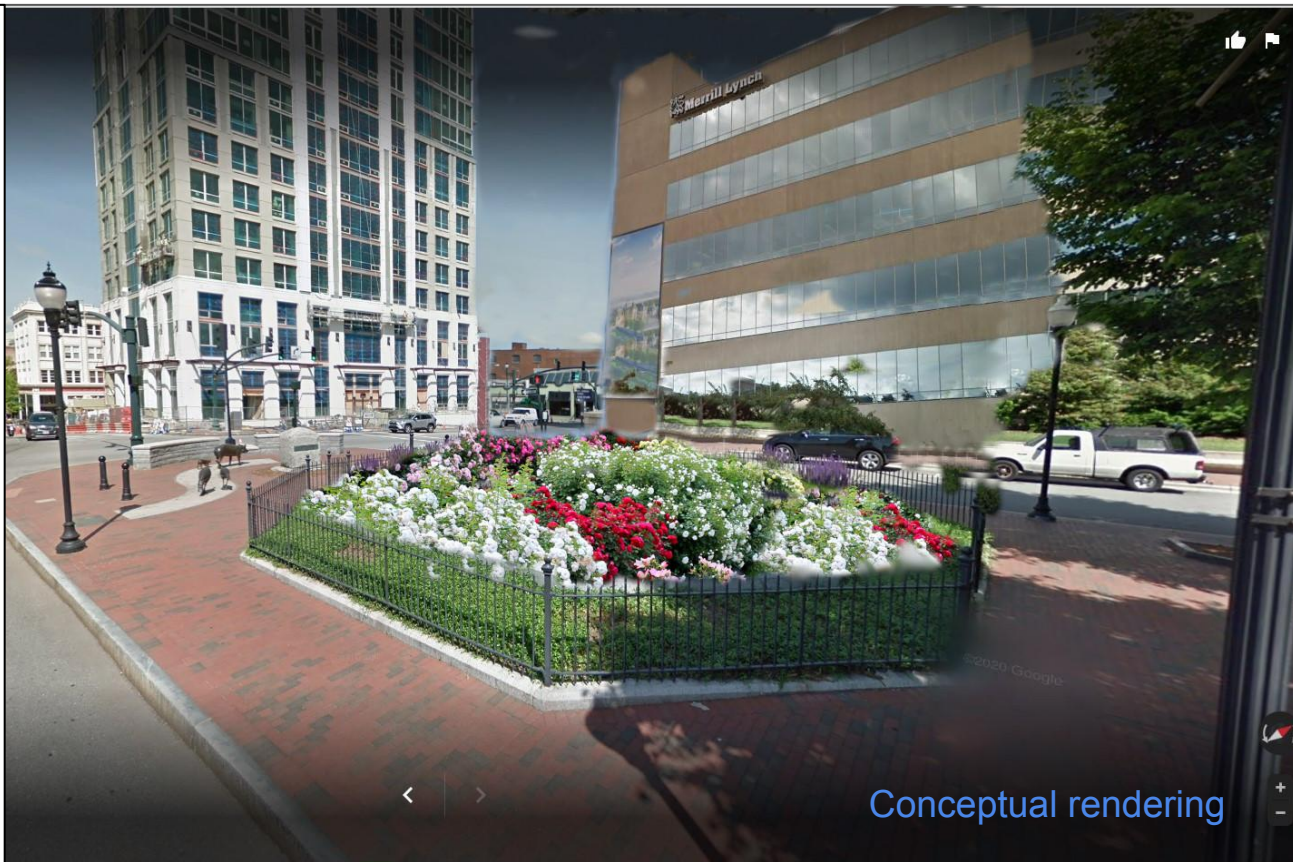


- Landscaping will be limited to the footprint of the monument.

**Pack Square Planting**  
City of Asheville | Capital Projects



**Planting Plan**



Conceptual rendering

# Demolition and temporary site restoration





## Pricing Information

### Demolition

- Five bids for the monument removal were received. The bids received included:

<u>Contractor</u>	<u>Location</u>	<u>Amount</u>
○ Neo Corporation	Canton, NC	\$ 157,000
○ Silvers and Associates, LLC	Burnsville, NC	\$ 495,000
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○ 4 Seasons Demolition, Inc.	Wilmington, NC	\$ 149,000
○ Chonzie, Inc.	Asheville, NC	\$ 114,150

### Interim Site Restoration

- A separate contract for site restoration will be awarded to MS Lean Landscaping, LLC in the amount of \$25,535. Lowest responsive/responsible bidder.

# Pack Square Plaza Visioning Process

If Council directs staff to pursue a visioning process, Staff can hold an RFP process for planning and engagement services in mid-April, and begin working with community as early as June. The Vision Document could be delivered by the end of 2021.

## PLANNING PROCESS - *Late Spring- Fall 2021*

- Connecting Diverse Communities and Place Through Innovative Engagement
- Lingering Questions Answered (e.g: What needs to be designed? Who do we want to design that?)
- Consider the Intersection of Equity, Inclusion and Placemaking

## OUTCOMES- *Winter 2021*

- Strengthen Relationships and Build Community support for reuse of the site
- Community Road Map to a More Inclusive Plaza in the Heart of Asheville
- Council Adopted Document to Support and Inform Next Steps

## COST

- Up to \$70,000



# Financial Summary

## Demolition and Site Work

- Demolition \$114,150
- Interim site restoration \$ 25,535
- Total \$139,685

## Revenue Sources

- FY2020 Capital Contingency

## Visioning

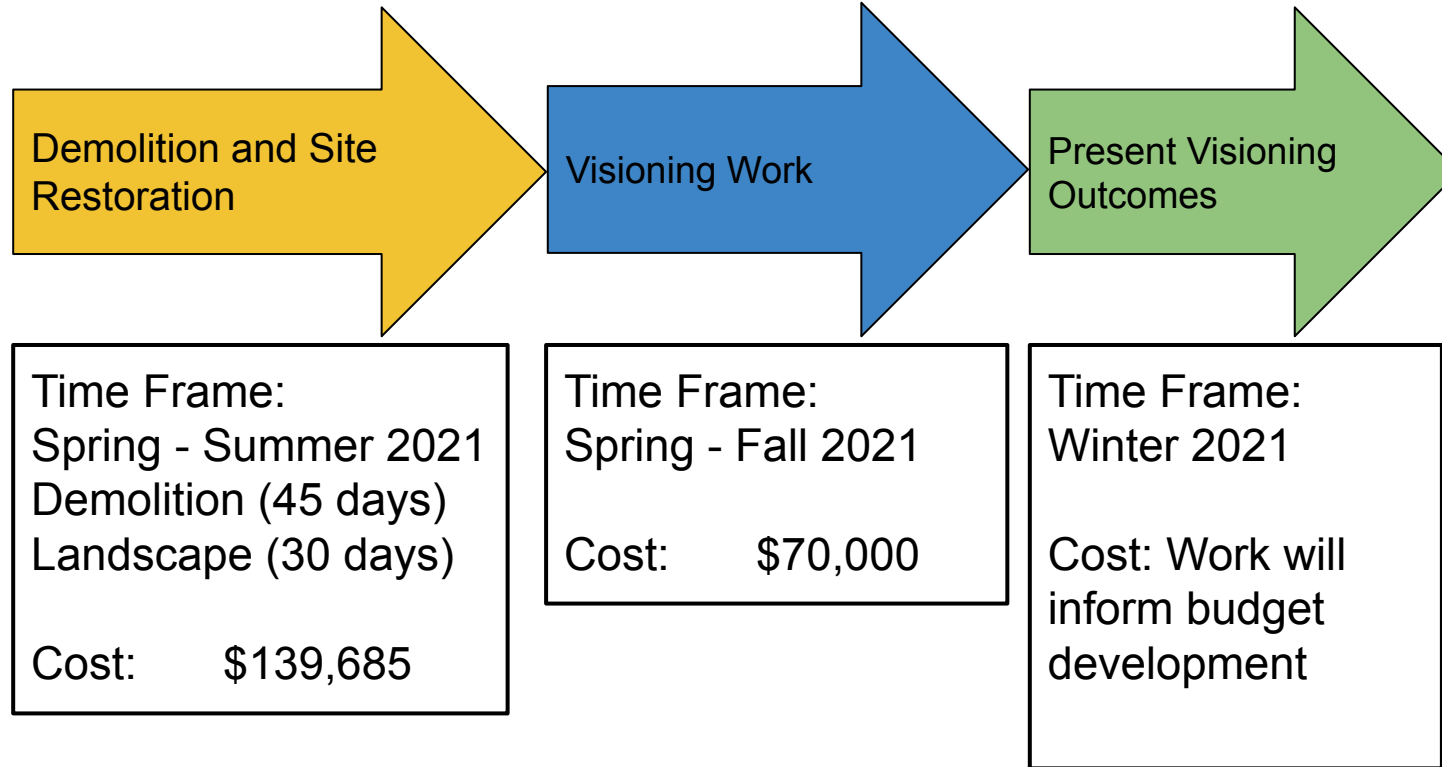
- Preliminary Up to \$70K

- Operating and Outside Contributions

## Minority Business Participation

- Outreach was performed to include minority business providers. The landscape restoration work was specifically separated from the main contract to create the most opportunity for inclusive business participation
- 18.3% of all the site work will be awarded to a local African American owned business
- Inclusive business outreach will be a priority of the Visioning Process RFP (if directed to pursue RFP)

# Timeline and Cost



# Discussion/Questions