

Item Title: Terminate Memorandum of Agreement between Wake County and Wake Technical College for Joint Use of Fueling Facility on Wake Tech Campus

Specific Action Requested:

That the Board of Commissioners authorizes the County Manager to execute a Mutual Termination Agreement on behalf of Wake County, which will terminate a Memorandum of Agreement entered between Wake County and Wake Tech on June 1, 1994 for the joint operation, maintenance, and use of a fueling facility on the Wake Tech campus, subject to the terms and conditions acceptable to the County Attorney.

Item Summary:

Purpose: The Board of Commissioners must authorize termination of a multi-year agreement entered by the County when termination authority is not delegated.

Background: Wake County and Wake Tech entered a Memorandum of Agreement on June 1, 1994 setting forth their agreement and understanding related to the shared use of a fueling depot to be located on the Wake Technical College campus at 9101 Fayetteville Road, Raleigh, North Carolina to serve county and college vehicles. Wake Tech provided the land, and the County paid for site preparation, construction and operation of the facility. The County has used the facility primarily as a satellite fueling location in the southern part of the county. Wake Tech is planning a project that requires the displacement of the existing fueling site. After an operational analysis, the joint recommendation from Wake County and Wake Tech is to decommission the fueling site. This requires a termination of the June 1, 1994 MOU. In order to meet the College's schedule for building a new project on the site, the termination must occur prior to the 12-month notice period required by the MOU.

County operations will not be compromised from the decommission because Wake County owns two additional fuel depots at the County's Capital Blvd and Deponie Dr locations, and also uses commercial fuel cards for County employees to use when not in close proximity of these locations.

Board Goal: This action supports standard County operations.

Fiscal Impact: The total decommissioning project cost estimate is \$184,000. Wake County will pay for this project through the County Building Improvements Element of the County CIP.

Additional Information:

The County and the College have met with consultants and are formalizing a schedule and scope of the decommissioning work, estimated to be completed in Summer 2020. Wake Tech shall execute a Right of Entry permit for the purpose of permitting Wake County to perform the decommissioning of the facility. This item has been placed on the Wake Tech Board of Trustees agenda for June 16th, 2020 as an information item.

Attachments:

1. Mutual Termination Agreement (Draft)
2. Project Cost Estimate and Schedule