

Item Title: Approval of Sixth Amendment to Memorandum of Understanding with the Town of Morrisville for the West Wake Solid Waste Facility (Formerly Convenience Center # 3)

Specific Action Requested:

That the Board of Commissioners authorizes the County Manager or Designee to execute a Sixth Amendment to the Memorandum of Understanding with the Town of Morrisville for the Use Master Plan and Feasibility Study of Wake County Convenience Center #3 and the Morrisville Public Works Facility, subject to conditions acceptable to the County Attorney.

Item Summary:

Purpose: The Board of Commissioners must approve and appropriate funding for capital projects. This action modifies an existing Memorandum of Understanding (MOU) between the County and the Town of Morrisville for the scope and design of a potential capital project.

Background: Wake County has established convenience centers throughout the County to provide recycling and waste disposal services to residents in the unincorporated area. Convenience Center # 3 is located along Aviation Parkway just outside the limits of the Town of Morrisville. This site is located adjacent to the Town's existing Public Works Facility at 414 Aviation Parkway. Due to the proposed widening of Aviation Parkway and increased demand for services from community growth, the Town and County desired to jointly redevelop this Town-owned site for their respective facilities. In October 2017, the Board of Commissioners approved a Memorandum of Understanding with the Town for a Joint Use Master Plan and Feasibility Study for these facilities. Five previous Amendments have been executed between the parties since 2017. During Spring 2025, the Town informed the County of their withdrawal from the Joint Master Plan.

Strategic Plan: This action supports routine County operations.

Fiscal Impact: Funding for the overall project is from the Solid Waste Element of the Capital Improvement Program. The County will not collect any additional funds from the Town for the Joint Master Plan and will return to the Town the unused balance of \$75,447.63. This will decrease the appropriation of the Morrisville Public Works Facility within the Solid Waste element of the County Capital Improvement Program by \$75,447.63 to balance actual revenues with budgeted revenues.

Additional Information:

On September 2, 2025, the Board of Commissioners approved a Fifth Amendment to the Memorandum of Understanding that set forth the conditions that must occur for Wake County to proceed on its own with a plan to design and construct a new Waste Wake Solid Waste Facility at the Town's property located at 414 Aviation Parkway. Four prior amendments, approved between 2019 and 2024 defined the scope of the shared project through schematic design and full design studies.

Per the MOU payment terms, the Town's portion of the design fees are due regardless of whether the Town proceeds with the Project or not.

The Sixth Amendment, for consideration today, is to amend such payment terms, to relieve the Town of their financial obligation and to return the unused funds collected from the Town for the design of the Joint Master Plan.

The County, in accordance with the conditions of the MOU, collected, from the Town, a total design fee of \$1,209,788.05 for the Joint Master Plan. The County paid on behalf of the Town a total of \$1,134,340.42 for the Town's design portion of the Joint Master Plan. The County will not collect any additional funds from the Town for the Joint Master Plan and will return to the Town the unused balance of \$75,447.63. Decrease the appropriation of the Morrisville Public Works Facility within the Solid Waste element of the County Capital Improvement Program by \$75,447.63 to balance actual revenues with budgeted revenues.

The current schedule anticipates that the project will be bid later in 2026. At the conclusion of the bid phase, staff will present to the Board of Commissioners the Construction Contract for award recommendation. At that time, a ground lease agreement and the amendment to the original 2007 Interlocal Agreement (ILA) will be also prepared and presented to the respective boards for approval. Upon approval from the respective elected boards, and upon execution of a ground lease, the County will begin construction, which is projected to be in second quarter of 2027.

Attachments:

1. Sixth Amendment to Memorandum of Understanding.
2. FY2026 Solid Waste CIP Budget Memo