

STATE OF NORTH CAROLINA

INTERLOCAL AGREEMENT

County of Chatham

THIS INTERLOCAL AGREEMENT, made and entered into this ____ day of _____ 2021, by and between the Town of Pittsboro, a North Carolina Municipal Corporation, (hereinafter referred to as "Pittsboro"), the City of Sanford, a North Carolina Municipal Corporation, (hereinafter referred to as "Sanford") and the County of Chatham, one of the one hundred counties of the State of North Carolina and body both politic and corporate, (hereinafter referred to as "Chatham County").

WITNESSETH:

WHEREAS, Pittsboro, Sanford and Chatham County have previously evaluated options to share in the development of water distribution services to better serve their respective communities; and,

WHEREAS, it is mutually beneficial for Pittsboro, Sanford and Chatham County to further develop the concept of sharing water distribution facilities by completing a Preliminary Engineering Report and Environmental Assessment for alternative distribution routes to provide potable water to Pittsboro and the Moncure area of Chatham County; and,

WHEREAS, the parties are authorized by NCGS §160A-461 to enter into interlocal agreements to cooperate in performing governmental activities; and,

WHEREAS, the parties agree that developing shared water distribution system facilities will provide significant and positive economic impacts for the region; and,

WHEREAS, the parties agree the cooperation between the parties to facilitate the development of shared water distribution facilities are in the best interest of the citizens of each party.

NOW, THEREFORE, in consideration of the premises, the mutual promises herein contained, and the sum of ten dollars, in hand paid, the receipt of which is hereby acknowledged, the parties hereto have mutually agreed as follows:

1. Preliminary Engineering Report and Environmental Assessment, The parties agree to the preparation of a Preliminary Engineering Report and Environmental Assessment prepared by a duly licensed engineering consulting firm to evaluate alternative routes for the water distribution system from the Sanford Water Treatment Plant to the Moncure area of Chatham County and to the Town of Pittsboro; evaluate the transmission and distribution system hydraulic models, needed water storage and pumping facilities; and prepare an environmental analysis that meets the requirements under the National Environmental Policy Act of 1969. A copy of the full scope of work is hereinafter shown as Exhibit 1 of this agreement.
2. Cost Sharing, The parties agree to jointly fund the completion of the Preliminary Engineering Report and Environmental Assessment for a total sum of \$375,000.00 during FY 21-22. The cost sharing is as follows:

\$150,000.00 by Pittsboro
\$150,000.00 by Chatham County
\$75,000.00 by Sanford.

Pittsboro will serve as the contracting party to secure the consulting services to complete the Preliminary Engineering Report and Environmental Assessment. Sanford and Chatham County will pay their proportionate share of the project costs to Pittsboro within thirty days of receipt of invoices from Pittsboro for said services.

3. Existing Agreements, Existing agreements between the parties that are not altered by this agreement remain in full force and effect.
4. Assignment, This Interlocal Agreement shall not be assigned or transferred, in whole or in part, without the prior written consent of all parties, which consent may be withheld in a party's sole discretion.
5. Notice, Any notice given pursuant to the Agreement shall be deemed given if (a) delivered by hand or (b) emailed to the addressee and then deposited in the United States Mail, postage prepaid, certified mail, return receipt requested and addressed as follows:

Town of Pittsboro
PO Box 759
Pittsboro, NC 27312-0759
Attn: Chris Kennedy, Town Manager
Telephone: (919)542-4621
Email: ckennedy@pittsboronc.gov

City of Sanford
PO Box 3729
Sanford, NC 27331-3729
Attn: Hal Hegwer, City Manager
Telephone: (919)777-1110
Email: hal.hegwer@sanfordnc.net

Chatham County
PO Box 1809
Pittsboro, NC 27312-1809
Attn: Dan LaMontagne, County Manager
Telephone: (919)545-8531
Email: dan.lamontagne@chathamcountync.gov

[add signature lines, notary certificates and exhibit 1]