

RESOLUTION ESTABLISHING DESIGN-BUILD CRITERIA

WHEREAS, North Carolina General Statutes (“NCGS”) § 143-128 authorizes Fayetteville Public Works Commission (“PWC”) to use the design-build method pursuant to NCGS § 143-128.1A for any contract to erect, construct, alter, or repair buildings;

WHEREAS, the Commission supports use of the design-build method for a project when appropriate and where the method will provide the best value to PWC; and

WHEREAS, NCGS § 143-128.1A requires PWC to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project.

THEREFORE, LET IT BE RESOLVED BY THE COMMISSIONERS OF THE FAYETTEVILLE PUBLIC WORKS COMMISSION THAT:

1. The following shall be used for determining the circumstances under which the design-build method is appropriate for a project:

- a) The extent to which PWC can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.
- b) Any time constraints for delivery of the project.
- c) The ability to ensure that a quality project can be delivered.
- d) The capability of PWC to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method.
- e) The ability to show good-faith efforts to comply with NCGS §§ 143-128.2 and 143-128.4, and to recruit and select small business entities.
- f) A comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified in NCGS § 143-128(a1)(1), (2), and (4).

2. PWC staff who want to use the design-build method must provide to the CEO a memo applying the criteria set forth above to the proposed project to support use of the method for the specified project.

3. The CEO or the CEO’s designee(s) are hereby authorized to determine whether the design-build method is appropriate for a project. The CEO is further authorized to enter into design-build contracts that require the estimated expenditure of funds in an amount less than five hundred thousand dollars (\$500,000). Any design-build contract undertaken by PWC that requires the estimated expenditure of funds equal to or greater than five hundred thousand dollars

(\$500,000) shall be approved by the Commission and a majority vote of the City of Fayetteville City Council.


ADOPTED this 10th day of August, 2022.

FAYETTEVILLE PUBLIC WORKS COMMISSION



Evelyn O. Shaw, Chairwoman

ATTEST:



Donald L. Porter, Secretary