

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT  
RELATED TO CONSTRUCTION MANAGER AT-RISK SERVICES  
FOR THE BUNCOMBE COUNTY COURTHOUSE LIFE SAFETY TOWER ADDITION**

- WHEREAS, a comprehensive space study and plan has been conducted that details the expected needs of the court system over the next 20 years, and the initial phase of the plan outlines a Life Safety Tower addition to the historic Buncombe County Courthouse; and
- WHEREAS, a Life Safety Tower will provide increased ingress and egress through the provision of secure elevators that will service all fifteen floors of the Courthouse and two separate stairwells, as well as provide additional public restroom facilities; and
- WHEREAS, Buncombe County advertised for Statements of Qualifications from parties interested in providing Construction Manager At-Risk Services for the project; and
- WHEREAS, a Construction Manager At-Risk contract provides for a commitment by the construction manager to deliver a project within a Guaranteed Maximum Price, and allows the construction manager to act as a consultant to the County in the development and design phases, and allows the construction manager to act as a general contractor during the construction phase, thereby ensuring that the construction manager acts in the County's interests while also managing and controlling construction costs to the Guaranteed Maximum Price amount; and
- WHEREAS, proposals were received on January 15, 2010, and based on the proposals and interviews conducted, the County has determined that the team of American South General Contractors and Turner Construction Company will provide the best combination of qualifications and experience necessary to perform the services of a Construction Manager At-Risk on the Courthouse Life Safety Tower Project; and
- WHEREAS, the Board of Commissioners feels that it is in the best interest of citizens to enter into a Construction Manager At-Risk contract to ensure that the project is carried out successfully and to manage and control construction costs.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE AS FOLLOWS:

1. That the County Manager is hereby authorized to negotiate and execute a contract with the team of American South General Contractors and Turner Construction Company to perform as the County's Construction Manager At-Risk for the Courthouse Life Safety Tower Project.
2. That the County Manager or her designees be and they are hereby authorized to execute other documents associated with this project as required for the design and construction of the project.
3. That this Resolution shall be effective upon its adoption.

Adopted this 3<sup>rd</sup> day of March, 2010.

ATTEST:

BOARD OF COMMISSIONERS  
FOR THE COUNTY OF BUNCOMBE

\_\_\_\_\_  
Kathy Hughes, Clerk to the Board

By: \_\_\_\_\_  
David Gantt, Chairman

APPROVED AS TO FORM:

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Michael C. Frue, County Attorney