

RESOLUTION 2010-2
**A RESOLUTION EXEMPTING CERTAIN SERVICES CONTRACTS
FROM PROCUREMENT REQUIREMENTS OF G.S. 143-64.31**

WHEREAS the North Carolina General Statutes, Chapter 143, Article 3D, restrict the solicitation of fee information in the procurement of architectural, engineering, surveying, and construction-manager-at-risk services and require, in most instances, a two-stage process of evaluating qualifications and negotiating fees; and

WHEREAS the provisions of the same Article allow units of government to make written determinations that contracts for such services shall be exempted from this requirement if the estimated amount of the professional fee is less than \$30,000; and

WHEREAS the Town of Swansboro finds that it is impractical, cumbersome, time-consuming, and contrary to the public interest to conduct a two-stage selection and contracting process for minor contracts for such services;

BE IT RESOLVED by the Board of Commissioners of the Town of Swansboro that the following determination is adopted as Board policy:

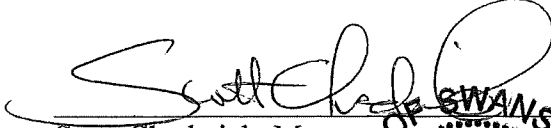
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1. Purpose. The purpose of this policy is to exercise the Town's right to exempt the procurement of certain architectural, engineering, surveying, and construction-manager-at-risk services from requirements to conduct separate process for evaluation of qualifications and negotiation of fees.
2. Finding. The Town finds that it is in the public interest to avoid, in those particular projects requiring architectural, engineering, surveying, and construction-manager-at-risk services estimated to be \$30,000 or less, the more cumbersome, time-consuming, and information-limiting provisions of NCGS Chapter 143, Article 3D. Such requirements would impose an unnecessary burden on the Town's limited staff and would inhibit the expeditious prosecution of projects.
3. Policy. In those particular projects requiring architectural, engineering, surveying, and/or construction-manager-at-risk services estimated to be less than \$30,000, the acquisition of such services shall be exempt from Chapter 143, Article 3D of the North Carolina General Statutes, and the town manager shall use qualification and fee evaluation processes appropriately designed, according to the level of services needed, to secure competent services at reasonable fees.

Adopted this 19th day of January 2010.

Attest:

Paula W. Webb
Paula W. Webb, Town Clerk


Scott Chadwick, Mayor

