

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH EDIFICE, LLC. FOR A GUARANTEED MAXIMUM PRICE (GMP) NOT TO EXCEED \$14,758,042 AND AUTHORIZE THE CITY MANAGER TO MAKE CHANGE ORDERS FOR THE FIRE STATION 1 AND EDWARDS PARK PROJECT (#19019)

WHEREAS, the North Carolina General Assembly allows for construction management at risk contracts under G.S. 143-64.31; and,

WHEREAS, the City of Hendersonville entered into a contract with Edifice, LLC. For construction manager at risk services for the Fire Station 1 and Edwards Park Project (#19019); and,

WHEREAS, Edifice General Contractors have proposed a contract amendment to establish the guaranteed maximum price (GMP) for the project; and,

WHEREAS, subsequent change orders made to the project after award of the GMP are not subject to competitive bidding requirements as the original contract GMP was competitively bid and there is no limitation on the dollar amount of change order work under G.S. 143-129(e)(4); and,

WHEREAS, there is a list of unforeseen circumstances in the design of the project that require changes to deliver a quality construction project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that

1. The City Manager is authorized to execute the guaranteed maximum price contract amendment for the Fire Station 1 and Edwards Park Project (#19019) in an amount not to exceed \$14,758,042.
2. The City Manager is authorized to approve any changes orders that include deductive changes, and any change orders that do not require a project budget ordinance amendment.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 24th day of August 2022.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney