

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO  
AUTHORIZE THE USE OF THE DESIGN-BUILD DELIVERY METHOD FOR THE NEW  
LAURA B. CORN MINI GOLF PURSUANT TO § 143-128.1A**

**WHEREAS**, the City is relocating the Laura B. Corn Mini Golf from Boyd Park to Edwards Park and wishes to utilize the design-build construction delivery method to construct the new mini golf recreational facility within Edwards Park; and

**WHEREAS**, § 143-128.1A (b) requires the City to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate; and

**WHEREAS**, the City of Hendersonville wishes to utilize the design-build construction delivery-method for the following reasons:

1. The City wishes to construct an American with Disability Act (ADA) accessible eighteen-hole mini golf facility that will honor the legacy of Laura B. Corn and include design elements that represent the natural and cultural features of Western North Carolina.
2. The mini-golf facility must be seamlessly integrated into the greater design concept for Edwards Park, and the design-builder must be able to coordinate the delivery of the design-build services for the mini-golf component with the design and construction of Edwards Park.
3. It is the Cities desire to construct the mini-golf facility within an eight-month time window. The City desires to begin construction on September 1, 2022 and complete construction on May 15, 2023. This will ensure that residents and visitors can enjoy the mini golf facility without interruption.
4. The City has consulted with design consultants (ADW Architecture) and construction professionals (Edifice Contractors) who are providing the design and construction management at risk services for the greater Edwards Park and has determined that mini golf design and construction is a specialized service offered by few companies, that mini-golf design and construction is typically done through a design-build process rather than through traditional construction methods, and that in order to get a high-quality product the City should contract with one of these design-build companies to construct the new Laura B. Corn Mini Golf component of Edwards Park.
5. The City will contract with ADW Architecture and Edifice Contractors to assist with the preparation of the request for proposals so that the project requirements are adequately and thoroughly defined and to assist with the management of the mini golf design-build process.
6. The City will make a good-faith effort to comply with § 143-128.2 (Minority Business Participation and § 143-128.4 (Historically Underutilized Businesses), as applicable, and to recruit and select small business entities. In additional to traditional project advertisement, the City will advertise on the State of North Carolina's Historical Underutilized Businesses website and in minority business publications.
7. The City has reviewed the criteria for separate-prime bidding, single-prime bidding and construction management at risks contracts and determined that due to project scope,

complexity, and time constraints that the design-build delivery method is appropriate for the construction of the new Laura B. Corn Mini Golf for the following reasons:

- a. The design and construction of mini-golf facilities is a highly specialized industry, with a limited availability of contractors performing this type of work.
- b. The traditional design-bid-build method would not allow the City to receive the specialized services necessary to deliver the highest quality mini-golf facility.
- c. The construction management at risk type of bid process would not allow the City to use the design-build process that is typical in the mini-golf industry.

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

1. The City Manager, City Attorney and Purchasing Manager are hereby authorized to issue a Request for Qualifications (RFQ) for a design-build contractor to construct the new Laura B. Corn Mini Golf course, to be integrated into the overall design and construction of Edwards Park.
2. The City shall make a good faith effort to comply with NCGS §§ 143-128.2 and 143-128.4, as applicable, and to recruit and select small business entities. Additionally, this RFQ shall be advertised in publications that attract minority business and historically underutilized business consideration and shall be sent to design professionals and contractors listed on the City's bid solicitation lists.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6<sup>th</sup> day of January 2022.

Attest:

---

Barbara G. Volk, Mayor, City of Hendersonville

---

Angela L. Reece, City Clerk

Approved as to form:

---

Angela S. Beeker, City Attorney