

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO
AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE
CONSTRUCTION OF THE LOWER MUD CREEK FLOODPLAIN RESTORATION AND
FLOOD RISK REDUCTION PROJECT**

WHEREAS, the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction (DWI Project No. SRP-SW-ARP-0012) intends to reduce flooding and restore natural floodplain functions along Mud Creek in south Hendersonville. Spanning two City-owned parcels totaling 27 acres, the project will reconnect floodplains, restore over 2,000 linear feet of first-order streams, stabilize 1,500 linear feet of streambank, and enhance 20 acres of wetlands and riparian areas. These efforts will boost floodwater storage, mitigate chronic flooding, and improve water quality by addressing stormwater runoff and habitat degradation.

WHEREAS, bids were scheduled to be received at 2:00 p.m., April 17th 2025, for the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction Project but fewer than three bids were offered; and

WHEREAS, North Carolina General Statute (N.C.G.S.) 143-132(a) requires a minimum of three bids for formal construction and repair contracts and N.C.G.S. 143-129 authorizes the project to be re-advertised; and

WHEREAS, after proper re-advertisement, two bids were received and publicly opened by the City of Hendersonville at 1:00 p.m. on April 28th, 2025, and the following bids were received; and

Name of Contractor	Amount
1. Shamrock Construction and Remediation, LLC	\$2,584,074.90
2. Environmental Quality Resources	\$5,697,759.70

WHEREAS, Wildlands Engineering reviewed each bid for completeness and accuracy. Shamrock Construction and Remediation, LLC was the lowest responsive, responsible bidder in the total bid amount of \$2,584,074.90, and

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

1. The City Manager is authorized to award and execute a contract for the construction of the Lower Mud Creek Floodplain Restoration and Flood Risk Reduction (DWI Project No. SRP-SW-ARP-0012) to Shamrock Construction and Remediation, LLC, the lowest responsive and responsible bidder, in the total amount of \$2,584,074.90.
2. The City Manager's authority to award and execute the construction contract granted by this Resolution in paragraph 1 above is contingent upon the approval of the North Carolina

Department of Environmental Quality and the North Carolina Local Government Commission.

3. The City Manager is authorized to approve change orders which, cumulatively, do not exceed 10% of the approved contract amount of \$2,584,074.90, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval, and provided that such change orders are approved by the NCDEQ or the NCLCG if required by applicable laws or program regulations.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of May 2025.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney