

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO  
AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE  
CONSTRUCTION OF THE CLEAR CREEK INTERCEPTOR REPLACEMENT**

**WHEREAS**, the Clear Creek Interceptor Replacement project was identified in the City's Sanitary Sewer Asset Inventory and Assessment Master Plan Report; and

**WHEREAS**, City Council adopted a Resolution to Reduce Sanitary Sewer Overflows (SSOs) on April 2, 2020, in which construction of the Clear Creek Interceptor Replacement was listed as a SSO reduction activity; and

**WHEREAS**, on March 17, 2021 at 2:00pm, sealed formal bids were opened for the Clear Creek Interceptor Replacement by City Staff. Bids were received by three pre-qualified bidders.

**WHEREAS**, City Staff reviewed each bid for completeness and accuracy. Don Moorhead Construction, Inc. was the lowest responsive, responsible bidder. All of the bids including the lowest responsive, responsible bid exceeded the budgeted cost of the project.

**WHEREAS**, in accordance with NCGS 143-129, the City entered into negotiations with the lowest responsible bidder and made reasonable changes to the plans and specifications in order to reduce the total project cost. The negotiations and utilization of bid alternates have led to a bid price reduction of \$194,098.50.

**WHEREAS**, in addition to the negotiations of unit pricing and utilization of bid alternates, Staff is recommending adding the I-26 gravity sewer crossing alternate to the Clear Creek Interceptor project, removing this item from the NCDOT road-widening project (I-4400), resulting in a future savings of approximately \$338,000.00.

**WHEREAS**, staff have confirmed with NCDOT that this item can be non-performed in the road-widening project (I-4400).

**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 Clear Creek Interceptor Replacement to Don Moorhead Construction, Inc., the lowest responsive and responsible bidder, in the total amount of \$3,956,171.50, which includes the acceptance of the I-26 gravity sewer crossing alternate.
2. The City Manager is authorized to approve change orders which, cumulatively, do not exceed 10% of the approved contract amount of \$3,956,171.50, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 6th day of May 2021.

Attest:

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Barbara G. Volk, Mayor, City of Hendersonville

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Angela L. Reece, City Clerk

Approved as to form:

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Angela S. Becker, City Attorney