



Date: 3/12/24

Agenda Item Summary Sheet

Item #: 7

Item Title: Mini-Brooks Exception Policy Approval-Pursuant to G.S.143-64.32

Item Summary: G.S. 143-64.32 authorizes a unit of local government to exempt itself from the Mini-Brooks Act, which means that it will not be required to use the Qualification Based Services process and may select an architect, engineer, surveyor, or alternative construction delivery method firm by whatever method it chooses (or no method at all). The statute does not impose much by way of requirements for utilizing the exemption – it simply requires the unit to put the exemption in writing. However, the exemption is capped at \$50,000, meaning the estimated cost of the contract cannot exceed this amount. Contracts with an estimated cost of \$50,000 or more cannot be exempted and the QBS process must be used.

Throughout the fiscal year, the town needs the services of an engineer for project design such as street improvements, smaller stormwater projects, multi-use-paths and sidewalk extensions. Most of, if not all, these projects have come at a cost well below the \$50,000 required for exemption.

The process for hiring an engineering firm for projects such as the culvert replacement on Juniper/Trinitie Trail would require a formal QBS process.

Staff Recommendation: Rather than securing these engineering services via a yearly contract or going through the lengthy and time consuming QBS process, staff is requesting the Council adopt the attached resolution which gives the town manager the authority to contract for architectural, engineering, and surveying services for certain small projects.

Requested Action: A motion to adopt the attached resolution.

Attachments: G.S. 143-64.321 and G.S. 143-64.32

Resolution