

Resolution Approving the Criteria for Use of the Design-Build Construction Delivery Method

WHEREAS, N.C.G.S 143-128.1A authorizes local governmental entities to utilize design-build contracts as an alternative project delivery method for public construction projects; and

WHEREAS, the Design-Build delivery method allows the Town Board of Commissioners to choose one firm to provide both design and construction services; and

WHEREAS, the Sylva Town Board of Commissioners must establish written criteria under which the Design-Build delivery method is appropriate for Town construction projects in accordance with N.C.G.S. 143-128.1A; and

NOW THEREFORE, BE IT RESOLVED, in accordance with N.C.G.S. 143-128.1A, that the Town of Sylva Board of Commissioners establishes the following criteria to determine whether using the Design-Build method is appropriate for a project:

1. Whether the Town can adequately and thoroughly define the project requirements in a request for qualifications for a design-builder.
2. Whether the Design-Build method reduces the amount of time necessary to complete the project.
3. Whether the Town has the ability to ensure a quality product can be delivered.
4. Whether the Town has the capability to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the Design-Build method of project delivery.
5. Whether the Town's good-faith efforts to comply with any applicable small business selection requirements will not be hindered.
6. Whether the Town's criteria include a cost-benefit analysis that compares the advantages and disadvantages of using the Design-Build delivery method in lieu of traditional construction bidding methods?

Additional factors the Town of Sylva shall utilize when considering advantages and disadvantages of Design-Build delivery method for each project include:

7. Whether the project requires flexibility to make appropriate decisions regarding the scope of the project as the project progresses;
8. Whether the total project budget is known and adequate for the Design-Build method;
9. Whether there is a maximum budget that must be adhered to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses;
10. Whether the size of the project may lead to significant change orders increasing the cost of the total project;
11. Whether the project timeline is an important factor in completing the project within a short timeframe to avoid excessively burdening Town operations;

12. Whether the design-build method will improve project quality, innovation, constructability, or risk management.
13. Whether selecting the most qualified firm, instead of the lowest bidder, is preferable based on the above criteria and factors.

The Town Manager is authorized to apply these criteria when recommending use of the design-build method for specific projects.

Adopted this the 13th day of August, 2026.

Johnny Phillips, Mayor

Amanda Murajda, Town Clerk