



## **Durham County Government**

### **Agenda Action Form Supplemental, CPA, Contract Amendment-BOE SHV Project Samet/WC Construction Joint Venture GMP#4**

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#### **Agenda Action Form Overview**

Approval of Capital Project Amendment No.25CPA045 Appropriating \$3,591,037.18 of PAYGO Funding to the Shoppes of Hope Valley Roofing and HVAC Capital Project (4730DC156), as well as Execution of the Construction Manager @ Risk GMP#4 Contract for the BOE Shoppes of Hope Valley Re-roofing and HVAC improvements Project in the amount of \$3,591,037.18 totaling a not to exceed amount of \$29,662,622.37.

#### **Background/Justification**

On July 10, 2023, the BOCC awarded the Construction Manager at Risk (C, M @R) Pre-construction Services contract to Samet/ WC Construction Joint Venture. The Pre-Construction Services phase of the project was the first step in the Construction Manager at Risk process in which the contracting team provided cost estimating, constructability reviews, schedule development and value analysis of the project design. For an efficient scheduling process the project has been broken down into (4) packages which are Package A which consists of items which were immediate and long lead time ((Electrical - 1) Generator/ATS and 2) Switchboards, Mechanical - VRF / ERV units, Structural / Misc. Steel Package; Generator /ATS). GMP#1 , Package A was approved by the BOCC on October 9, 2023. On November 13, 2023 Package B GMP#2 was approved by BOCC for the interior completion of the former Kroger box renovation. Package B consists of the remaining packages for the BOE Renovation project thus GMP#2. Package 1B GMP #3 includes (Exterior site work, landscaping, exterior lighting and fencing, etc.). This mode of bidding allows for the timely completion of construction activities and the opening of the facility, currently scheduled for August 2024. GMP #4 for the roofing and HVAC rooftop unit replacement for the balance of the shopping center was bid on June 3, 2025. Following the pre-qualification of subcontractors for Phase 2, bids were received, publicly opened and read by SWC on June 3, 2025. One (1) package did not receive the statutory requirement of (3) bids necessary to open it, thus a second bid opening was scheduled for the remaining package. That package was publicly opened and read by (SWC on June 12, 2025. The Bids for the various packages for Phase 2, are incorporated into “Guaranteed Maximum Price #4” (GMP4) proposal submitted for the renovation project.

Funding for this service is available in the Shoppes of Hope Valley Roofing and HVAC Capital Project account. The contractor Samet with WC Construction will be utilizing 14.8 MWBE (See Attachment 1, page 3). The contractor is also pursuing additional MWBE participation if the opportunity is available.

#### **Policy Impact**

The board approved the use of this delivery method prior to staff issuing the RFQ for the project. The Construction Manager @ Risk delivery method is currently in use on the Board of Elections Project and is favored for larger and more complex construction and renovation projects.

#### **Procurement Background**

Construction Manager's @ Risk are selected based qualification based RFQ processes as outlined in NC G.S. 143-64-31. This statute requires that State and al public subdivisions and Local Governments units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private



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partnership construction services to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm.

#### Type of purchase

☐ Goods

☐ Services

☒ Architect, Engineer or Surveyor Services, CM@R

☒ Construction and Repair

Did this request for purchase go through a bid process? Yes ☒ No ☐

*Goods: Bids required if  $\geq \$30,000$ , BOCC approval if  $\geq \$90,000$*

*Services: Bids required if  $\geq \$30,000$ , BOCC approval if  $> \$40,000$*

*Construction/Repair work: Bids required if  $\geq \$30,000$ , BOCC approval if  $\geq \$500,000$*

If yes, attach a copy of bid tab and the minority and women business enterprise (MWBE) compliance review form provided by the Purchasing Division.

If no, why?

☐ Sole source exemption

☐ Cooperative purchasing program exemption

☐ State and federal contract exemption

☐ Contract is an amendment to an existing contract

☒ Other (please explain)

If exempted from bidding, has this request been reviewed and approved by the Purchasing Division in the agenda Legistar system? Yes ☒ No ☐

If no, why? Qualification based RFQ process as required by G.S. 143-64.31

#### **Fiscal Impact**

The funding will be deposited by the Budget department into the CIP account for the Project.

#### **Recommendation**

Capital Project Amendment No.25CPA045, appropriating \$3,591,037.18 of Pay-As-You-Go (PAYGO) funding to the Shoppes of Hope Valley Roofing and HVAC Capital Project (4730DC156) for Shoppes of Hope Valley re-roofing and HVAC improvements. The multi-phased work on this property is being completed in two projects for the County that are related but being tracked separately: Elections S. Roxboro Renovation Project (4730DC155) and Shoppes of Hope Valley Roofing and HVAC (4730DC156). The amendment also requests authorization for the County Manager to enter into a contract or change order with Samet/WC



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Construction Joint Venture (SWC) for the BOE Shoppes of Hope Valley re-roofing and HVAC improvements project located at 3825 S. Roxboro Street, Durham NC, for GMP#4 in the amount of \$3,591,037.18 (Bid Packages plus allowances), execute any other related contracts including change orders if necessary not to exceed the available budget of \$29,662,622.37 for the construction contract.