



Agenda Action Form Overview

Execution of Contract Amendment with Falcon Engineering, Inc. for the Construction Materials Testing and Special Inspection Services for the Durham County Main Library Project

Background/Justification

On May 22, 2017, the BOCC awarded Falcon Engineering, Inc. the construction materials testing and special inspections (CMT & SI) services for the Durham County Main Library Project. Falcon Engineering, Inc., (FEI) is currently providing the construction materials testing and special inspections (CMT & SI) services for the Durham County Main Library Project, located at 300 N. Roxboro Street, Durham, NC. The requested amendment will cover the additional testing and inspection costs required to complete the project and cover the unforeseen conditions encountered in the field. Funding for this amendment is available in the Durham County Main Library Capital Project account. The scope of work is summarized in the attached proposal, dated September 25, 2018, in the amount of \$30,000.00 thus increasing the total compensation from \$125,000.00 not to exceed \$155,000.00.

Policy Impact

The scope of work has increased since the original contract as noted in the background/justification narrative above, thus amending the (CMT&SI) contract with Falcon Engineering, Inc., (FEI) to include the additional services for the Durham County Main Library Renovation located at 300 N. Roxboro Street in the amount of \$30,000.00 thus increasing the overall total compensation up to \$155,000.00.

Procurement Background

Architects and engineers are selected using qualification-based RFQ processes as outlined in NC G.S. 143-64.31. This statute requires that State and all 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 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 Main Library Project was on the November 2016 Bond Referendum and approved by the Voters. The Bonds funds \$44.3M have been deposited by the Budget department in the CIP account for the Project. The total project budget is \$47.1 including design, move planning, pre-construction and associated activities.

Recommendation

The County Manager recommends that the Board authorize the County Manager to amend the contract with Falcon Engineering, Inc., currently providing the CMT & SI services for the Durham County Main Library Project (under construction) in the amount of \$30,000.00 thus increasing the total compensation from \$125,000.00 not to exceed \$155,000.00.