



**Agenda Action Form Overview**

Execution of Construction Manager At Risk Service Agreement with Bordeaux Construction Company for Pre-Construction Services for the New Durham County Youth Home Project No. DC-001

**Background/Justification**

In 2017, the Board of County Commissioners approved funds for a Youth Home Program and Site Master Plan, which included an update to the 2014 Building Assessment Report. The study identified current and future needs of the Home, and the building assessment results indicated that repairing, upgrading, and expanding the outdated facility is not cost-effective.

This project is the design and construction of a new 36-bed Durham County Youth Home to replace the existing 14-bed facility on the 8.1-acre site currently shared with the Durham County Emergency Management Office. The new expanded facility will be designed to facilitate best practices and accommodate the housing of older juveniles after SB257 Juvenile Justice Reinvestment Act (aka Raise The Age Law) took effect on December 1, 2019. The design will follow the standards of the North Carolina Administrative Code 10A NCAC 14J, Rules and Laws Governing the Operations, Surveillance, and Monitoring of Jail Facilities, and the American Correctional Association Standards for Juvenile Detention Facilities. The existing Home will be demolished after the new facility is occupied. This project will pursue LEED Gold certification.

A Request for Qualifications (RFQ) for Construction Manager at Risk Services for the New Durham County Youth Home was advertised in local newspapers on November 6, 2019. A pre-proposal conference was held on November 13, 2019 and four proposals were received on December 5, 2019. A Selection Committee comprised of representatives from the County Manager's Office, Durham County Youth Home, General Services, and Engineering Department reviewed the proposals. The selection committee deemed Bordeaux Construction Company the most qualified for the project.

The Pre-Construction Services phase of the project is the first step in the Construction Manager at Risk process in which the contracting team will provide cost estimates, constructability reviews, schedule development and value analysis of the project design. This initial contract is necessary for the CM @ R to provide analysis of the schematic design and design development of the project. Funding for this service is available in the New Youth Home Capital Project account.

This agenda item has been reviewed and approved by the Purchasing Division (See Attachment 2). In review of the M/WBE participation for this project, Bordeaux Construction Company has committed to minority participation of \$32,500 or 25% of the preconstruction contract.

**Policy Impact**

This project was approved during the FY19-20 Capital Improvement Plan Update. Funding for the design and preliminary activities is available in the New Youth Home Capital Project Account.



**Procurement Background**

Construction Managers At Risk 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
- ☐ 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**

Funding for the design and pre-construction activities is available in the New Youth Home Capital Project Account.



**Recommendation**

The County Manager recommends that the Board authorize the execution of a Construction Manager At Risk Services agreement with Bordeaux Construction Company in the amount of \$150,000 for pre-construction services for this project.