

**ALAMANCE COUNTY BOARD OF COMMISSIONERS DESIGN-BUILD POLICY
RESOLUTION**

WHEREAS, the North Carolina General Statutes Chapter 143-128.1A outlines specific requirements for Design-Build contracts in the State of North Carolina; and

WHEREAS, Alamance County seeks to promote efficiency, cost-effectiveness, and quality in the delivery of building construction and public works projects; and

WHEREAS, the Design-Build contracting method can be a valuable tool for achieving these goals;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALAMANCE COUNTY, NORTH CAROLINA:

SECTION 1. ADOPTION OF DESIGN-BUILD POLICY. The Board of County Commissioners hereby adopts the following Design-Build Policy for projects selected for this method of construction undertaken by Alamance County:

ALAMANCE COUNTY DESIGN-BUILD POLICY

1. Purpose:

This policy establishes guidelines for the use of Design-Build contracting methods for public projects in Alamance County. The goal is to promote efficiency, cost-effectiveness, and quality in the delivery of public works projects while adhering to the requirements of N.C.G.S. 143-128.1A.

2. Scope:

This policy applies to all construction and public works projects undertaken by Alamance County where the Design-Build method of construction is chosen, including but not limited to construction, renovation, and repair projects.

3. Definitions:

- a. Design-Build: A contracting method where a single entity (Design-Builder) is responsible for both the design and construction of a project.
- b. Design-Builder: A firm or consortium of firms that provides both design and construction services for a project.

- c. Project: Any construction, alteration, or repair work undertaken by Alamance County using public funds.

4. Applicability:

The Design-Build method may be considered for projects that meet the following criteria:

- a. The project scope and complexity are suitable for a Design-Build approach.
- b. The project budget and timeline align with the potential benefits of Design-Build.
- c. The project involves a significant degree of design-build integration and collaboration.

5. Selection Process:

- a. Request for Qualifications (RFQ): The County will issue an RFQ to solicit interest from qualified Design-Builders.
- b. Evaluation: Proposals will be evaluated based on factors such as experience, qualifications, references, financial stability, and proposed design-build approach.
- c. Shortlist: A shortlist of qualified Design-Builders will be selected for further consideration.
- d. Negotiations: The County will negotiate contract terms with the shortlisted Design-Builders.
- e. Award: The Design-Build contract will be awarded to the Design-Builder that offers the best overall value to the County.

6. Selection Criteria:

Alamance County will consider each of the following in selecting the Design-Build construction method for a given project, as well as in vetting suitable bidders for the project.

- a. The extent to which Alamance County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.
- b. The time constraints for the delivery of the project.
- c. The ability to ensure that a quality project can be delivered.
- d. The capability of Alamance County 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.
- e. A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities. Alamance County will not limit or otherwise preclude any respondent from submitting a response so long as the respondent, itself or through its

proposed team, is properly licensed and qualified to perform the work defined by the County's issued public notice.

- f. The criteria utilized by Alamance County, including a comparison of the advantages and disadvantages of using the design-build delivery method for a given project in lieu of the delivery methods identified in subdivisions (1), (2), and (4) of G.S. 143-128(a1).

7. Contract Requirements:

Design-Build contracts must include the following provisions:

- a. Clear Scope of Work: A detailed description of the project scope, including performance requirements and deliverables.
- b. Design-Build Agreement: A formal agreement between the County and the Design-Builder outlining the roles, responsibilities, and obligations of each party.
- c. Risk Allocation: A clear allocation of risks between the County and the Design-Builder, consistent with N.C.G.S. 143-128.1A.
- d. Dispute Resolution: Mechanisms for resolving disputes between the County and the Design-Builder.
- e. Incentive Clauses: Potential incentives for early completion or exceeding performance standards.
- f. Subcontracting: Requirements for subcontracting and approval processes.
- g. Insurance Requirements: Adequate insurance coverage for the Design-Builder and its subcontractors.
- h. Payment Terms: Payment schedules and procedures.
- i. Change Orders: Procedures for managing changes to the scope of work.

8. Project Management:

The County will appoint a project manager to oversee the Design-Build project and ensure compliance with contract requirements. The Design-Builder will be responsible for overall project management and coordination.

9. Monitoring and Evaluation:

The County will monitor project progress and performance to ensure compliance with contract terms and budget. The County will conduct periodic evaluations of the Design-Build process and outcomes.

10. Amendments:

This policy may be amended from time to time to reflect changes in laws, regulations, or best practices.

SECTION 2. IMPLEMENTATION. The County Manager shall ensure that all projects where the design-build method of construction is implemented comply with the provisions of the adopted Design-Build Policy.

SECTION 3. AMENDMENTS. The Board of County Commissioners may amend the Design-Build Policy from time to time to reflect changes in laws, regulations, or best practices.

SECTION 4. EFFECTIVE DATE. This resolution shall take effect upon its adoption by the Alamance County Board of Commissioners at its regular session, this the 7th day of October, 2024.

John P. Paisley, Jr., Chair
Alamance County Board of Commissioners

ATTEST:

Tory Frink, Clerk to the Board