

A RESOLUTION AUTHORIZING THE TOWN MANAGER OR INTERIM TOWN
MANAGER TO AWARD ON BEHALF OF THE TOWN OF CARRBORO A CONTRACT
FOR PRELIMINARY ENGINEERING SERVICES FOR THE MORGAN CREEK
GREENWAY PROJECT (NCDOT TIP# EL-4828)

Draft Resolution No. 143/2010-11

WHEREAS, on March 16, 2010, the Board of Aldermen adopted the Morgan Creek Greenway Conceptual Master Plan, supported the ongoing development of the greenway, and directed staff to pursue a Municipal Agreement with NCDOT; and

WHEREAS, on October 5, the Board approved a Supplemental Agreement with NCDOT to administer federal funding to design and build early phases of the Morgan Creek Greenway; and

WHEREAS, Town staff have undertaken a Request for Qualifications process to select the most qualified firm to deliver the project; and

WHEREAS, federal and state law requires that negotiations be conducted with the selected firm to establish a fair and reasonable price for the contract; and

WHEREAS, NCDOT policy requires an audit of the firm's contract proposal prior to the beginning of negotiations;

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Board authorizes the Town Manager or Interim Town Manager to execute, on behalf of the Town of Carrboro, a contract for preliminary engineering services for the Morgan Creek Greenway (EL-4828), subject to the following:

- The contract shall be executed at a fair and reasonable price with the most qualified firm, as determined by the Request for Qualifications process for the Morgan Creek Greenway commenced by the Town in October 2010, after a completed pre-negotiation audit by NCDOT and negotiation by Town of Carrboro staff that addresses all audit comments, except that if negotiations are unsuccessful in reaching a fair and reasonable price for the services with the most qualified firm, the negotiations may be terminated and initiated with the next-most qualified firm, consistent with NCGS §143-64.31(a).

ATTACHMENT B

**MORGAN CREEK GREENWAY CAPITAL IMPROVEMENT PROJECT
ORDINANCE, FY 2010-2011**

WHEREAS, the Town of Carrboro, has received funding from the North Carolina Department of Transportation (NCDOT) under the Surface Transportation Program-Direct Attributable (STP-DA) program for the design and construction of the early phases of the Morgan Creek Greenway; and,

WHEREAS, local funds have been reserved in the Town's Bond Fund to match the NCDOT STP-DA award; and,

WHEREAS, the Town has executed a Supplemental Agreement with NCDOT to administer federal funding to design and build the early phases of the Morgan Creek Greenway;

NOW, THEREFORE PURSUANT TO N.C.G.S 159-13.2, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO THAT:

1. The Morgan Creek Greenway Capital Improvement Project is hereby authorized to be undertaken until all project activity is completed.
2. The following revenues are anticipated to be available to the Town of Carrboro to complete the project:

FEDERAL STP-DA FUNDS	\$480,000.00
Town Bond Funds Local Match	<u>\$120,000.00</u>
Total	\$600,000.00

3. The following amount is appropriated for this project to be expended in the following manner:

Design and Engineering	\$132,350.00
Construction	<u>\$476,650.00</u>
Total Appropriation	\$600,000.00

4. Within five (5) days after this ordinance is adopted, the Town Clerk shall file a copy of this ordinance with the Finance Director and Planning Director.