

Halifax County Board of Commissioners

Vernon J. Bryant, Chairman
J. Rives Manning, Jr., Vice-Chairman
Carolyn C. Johnson
Linda A. Brewer
Marcelle O. Smith
T. Patrick W. Qualls



Tony N. Brown
County Manager
Andrea H. Wiggins
Clerk to the Board
M. Glynn Rollins, Jr.
County Attorney

Monday February 17, 2020 Regular Meeting 5:30 PM

Halifax County Historic Courthouse
10 North King Street, Post Office Box 38, Halifax, North Carolina 27839
252-583-1131/Fax: 252-583-9921
www.halifaxnc.com

The mission of the Halifax County Board of Commissioners is to provide leadership and support for an effective county government that seeks to enhance the quality of life for the people of Halifax County.

Call to Order

Chairman Vernon J. Bryant

Invocation and Pledge of Allegiance

Adoption of the Agenda

Conflict of Interest

Chairman Vernon J. Bryant

In accordance with the Halifax County Board of Commissioners Rules of Procedures and N. C. G. S. Sec.153A-44, it is the duty of every member present to vote on all matters coming before the Board, unless there is a conflict of interest as determined by the Board or by law. Does any Board member have any known conflict of interest with respect to any matters coming before the Board today? If so, please identify the conflict and the remaining Board members will vote to consider the requested excuse.

1. Agenda Item

- A. Approval of Design-Build Criteria in Connection with the Halifax County Industrial Building Expansion Project

Ian M. Bungarner, Senior Management Analyst

2. Other Business

County Commissioners

- A. Letter of Special Recognition - Katherine Lee's 90th Birthday

Vernon J. Bryant, Chairman

3. Closed Session

County Commissioners

4. Adjourn Until The March 9, 2020 Regular Meeting

County Commissioners

Accommodations for individuals with disabilities may be arranged by contacting the County Manager's office at 252-583-1131 at least 48 hours prior to the meeting.



AGENDA
Halifax County Board of Commissioners
Regular Meeting

TO: Halifax County Board of Commissioners

FROM: Ian M. Bumgarner, Senior Management Analyst

PRESENTER: Ian M. Bumgarner, Senior Management Analyst

SUBJECT: Approval of Design-Build Criteria in Connection with the Halifax County Industrial Building Expansion Project

DATE: February 17, 2020 Regular Meeting

SUPPORTING INFORMATION:

Halifax County intends to construct a 25,000 sq. ft. expansion to the county industrial building at 10869 NC Hwy 903, Halifax, North Carolina, now leased to PCB Piezotronics of North Carolina, Inc. (PCB). This expansion needs to be completed by September 30, 2020. County staff recommend that the design-build method be used to deliver this project. This delivery method will provide the needed flexibility to complete the project on time and within budget without sacrificing quality in construction.

Pursuant to G.S. 143-128.1A(b), the county must establish in writing the criteria to be used for determining the circumstances under which the design-build method is appropriate for a project. In Part 1 of the attached memo, suggested criteria are presented for your consideration. If adopted, these criteria will apply to any projects being evaluated for a design-build method of delivery.

Once you have adopted the proposed criteria, you must determine whether the current project (the industrial building expansion) meets the criteria established. Part 2 of the attached memo is presented for your consideration of this determination.

If you adopt the design-build criteria, and if you approve the industrial building expansion project for design-build under that criteria, county staff also recommends that you authorize the county manager, or his designees, to proceed with a design-build RFQ, make a selection and negotiate a design-build contract with the selected design-build entity, so long as the contract is consistent with the previously adopted project ordinance.

ATTACHMENTS:

Description

- ▢ NC G.S. 143-128.1A
- ▢ Criteria for Design-Build Method for Construction Projects

TOTAL COST:N/A

COUNTY COST:N/A

REQUEST: Approve the proposed criteria for use of the design-build delivery method, approve the design-build method for the expansion of the county industrial building, and authorize the county manager, or his designees, to move forward with the design-build delivery method for the expansion of the Halifax Industrial Building, including, RFQ, selection, negotiation and execution of a design-build contract, consistent with the project ordinance.

§ 143-128.1A. Design-build contracts.

- (a) Definitions for purposes of this section:
- (1) Design-builder. - As defined in G.S. 143-128.1B.
 - (2) Governmental entity. - As defined in G.S. 143-128.1B.
- (b) A governmental entity shall establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project, and such criteria shall, at a minimum, address all of the following:
- (1) The extent to which the governmental entity can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.
 - (2) The time constraints for the delivery of the project.
 - (3) The ability to ensure that a quality project can be delivered.
 - (4) The capability of the governmental entity 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.
 - (5) 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. The governmental entity shall 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 public notice issued under subsection (c) of this section.
 - (6) The criteria utilized by the governmental entity, 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).
- (c) A governmental entity shall issue a public notice of the request for qualifications that includes, at a minimum, general information on each of the following:
- (1) The project site.
 - (2) The project scope.
 - (3) The anticipated project budget.
 - (4) The project schedule.
 - (5) The criteria to be considered for selection and the weighting of the qualifications criteria.
 - (6) Notice of any rules, ordinances, or goals established by the governmental entity, including goals for minority- and women-owned business participation and small business participation.
 - (7) Other information provided by the owner to potential design-builders in submitting qualifications for the project.
 - (8) A statement providing that each design-builder shall submit in its response to the request for qualifications an explanation of its project team selection, which shall consist of either of the following:
 - a. A list of the licensed contractors, licensed subcontractors, and licensed design professionals whom the design-builder proposes to use for the project's design and construction.
 - b. An outline of the strategy the design-builder plans to use for open contractor and subcontractor selection based upon the provisions of Article 8 of Chapter 143 of the General Statutes.
- (d) Following evaluation of the qualifications of the design-builders, the three most highly qualified design-builders shall be ranked. If after the solicitation for design-builders not as many as three

responses have been received from qualified design-builders, the governmental entity shall again solicit for design-builders. If as a result of such second solicitation not as many as three responses are received, the governmental entity may then begin negotiations with the highest-ranked design-builder under G.S. 143-64.31 even though fewer than three responses were received. If the governmental entity deems it appropriate, the governmental entity may invite some or all responders to interview with the governmental entity.

(e) The design-builder shall be selected in accordance with Article 3D of this Chapter. Each design-builder shall certify to the governmental entity that each licensed design professional who is a member of the design-build team, including subconsultants, was selected based upon demonstrated competence and qualifications in the manner provided by G.S. 143-64.31.

(f) The design-builder shall provide a performance and payment bond to the governmental entity in accordance with the provisions of Article 3 of Chapter 44A of the General Statutes. The design-builder shall obtain written approval from the governmental entity prior to changing key personnel as listed in sub-subdivision (c)(8)a. of this section after the contract has been awarded. (2013-401, s. 4; 2014-42, s. 7.)

Establishment of Criteria for a Design-Build Delivery Method for Construction Contracts and
Approval of Using the Design-Build Delivery Method for the
Halifax County Industrial Building Expansion Project

February 17, 2020

In accordance with GS 143-128.1A regarding the design-build delivery method for construction projects, County staff is submitting, for approval, the criteria that the County must establish to utilize this method of construction delivery. Additionally, county staff is requesting approval to use the design-build method of delivery for the expansion of the Halifax County Industrial Building. Due to the need for the project to be complete by September 30, 2020, this delivery method will provide the needed flexibility to complete the project on time and within budget without sacrificing quality in construction.

Part I: Establishment of Criteria.

GS 143-128-(a1)(6) authorizes local governmental entities to utilize the design-build delivery method for construction contracts. Pursuant to GS 143-128(b), the first step in the process for utilizing the design-build delivery method is for the governmental entity to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project. The criteria proposed are as follows:

Criteria for Determining Whether the Design-Build Delivery Method is Appropriate for a Project

- 1. The extent to which the County can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications (RFQ) for a design-builder.** The design-build delivery method may be used if it is determined that, for the project, the County has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design-builder. Consideration will be given to the qualifications and experience of the personnel in the Operations Department and the availability of professional personnel in the areas of procurement, finance and legal to assist in the development of an RFQ.
- 2. The time constraints for the delivery of the project.** The design-build delivery method may be used if a project has a firm date by which a facility must be operational and the normal delivery method is likely not to be timely (typically involving an RFQ for design/architectural services, study, design, bid and construction). The size and cost of a project will dictate complexity and schedule.
- 3. The ability to ensure that a quality project can be delivered.** The design-build delivery method may be used if it is determined that, for the project, the County has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by the Board. Consideration will be given to the qualifications and experience of the personnel in the Operations, Finance, County Management and Legal Departments.
- 4. The capability of the 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.** The design-build delivery method may be used if it is determined that, for the project, the County has professional and experienced personnel that are knowledgeable of design-build projects or, in the

alternative, experienced consultants local to the Halifax County area are available to be retained to perform the construction management of a design-build contract.

5. 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. The County complies with G.S. 143-128.2, G.S. 143-128.4. The County has an established and successful minority business participation program which requires contractors to comply with the minority business participation goals set by Board, which is currently 10%.

6. The criteria utilized by the County, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of separate-prime bidding, single-prime bidding or construction management at risk (as identified in subsections (1), (2) or (4) of GS 143-128(a1)). The criteria utilized by the County when considering a design-build delivery method for a project will be as follows:

- Is the project well defined and does it include qualitative and quantitative characteristics that make a design-build contract more appropriate than other methods of delivery?
- Is the project timeline overly constrained and will it be necessary to have the facility complete and operational within a short timeframe?
- Will it be necessary to have beneficial use of a portion of the facility while it is under construction?
- Given the scope of the project, is there a maximum budget that must be adhered to in order to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses?
- Does the design-build delivery method meet the ultimate operational goals established for a given facility and the quality of product achieved as a result of a more fluid and flexible delivery method?

In general terms, if it is determined that the expected expense of a design-build project will be no more than ten (10 %) greater than the expected expense of a traditional RFQ, study, design, bid and construct project, the design-build delivery method may be utilized.

Part 2: Applying the criteria to the Halifax County Industrial Building Expansion Project.

The second step for the process in determining whether to use the design-build delivery method for a project is to apply the criteria to the project.

In applying the criteria to the Halifax County Industrial Building Expansion Project, it is recommended that the design-build delivery method be used for this project. This determination is based upon a review of the above criteria as it relates to this project as follows:

Criteria 1: Halifax County staff has adequately and thoroughly developed a project plan and scope for the Halifax County Industrial Building Project. Using the collective expertise of the Legal, Management, Finance, Planning, Operations, and Economic Development departments and professionals, Halifax County has developed a detailed project implementation plan, scope of work, and request for qualifications to support the meet and exceed the requirements of GS 143-128.

Criteria 2: Due to the employee growth expansion underway by PCB Piezotronics, it is imperative that Halifax County pursue the design-build delivery method to meet the company's deadline of September 30, 2020 for completion of the first phase employee growth. Utilizing traditional construction procurement methods 25,000 SF building expansion could extend the project timeline by 6 to 9 months and cause issues for the company in meeting its employee growth options.

Criteria 3: Within the Operations, Economic Development, County Management, Planning, Finance, and Legal Departments, the County has professional and experienced personnel to ensure that the design-build firm will provide a quality product within the budget parameters established by the Board of Commissioners and other funding available for this project.

Criteria 4: Within the Operations Department, the County has professional and experienced personnel that are knowledgeable of commercial construction practices and design-build projects. Should it become necessary to contract the construction management of a design-build contract, there are experienced consultants in the Halifax County area to provide this service.

Criteria 5: The County complies with G.S. 143-128.2, G.S. 143- 128.4. The County has an established and successful minority business participation program which requires contractors to comply with the minority business participation goals set by Board, which is currently 10%.

- The scope of work for the Halifax Industrial Building Expansion Project is well defined and given its qualitative characteristics, is a perfect project for design-build compared to more traditional procurement methods.
- It is necessary to have the building expansion construction completed by September 30, 2020 to meet the company's employee growth demands.
- It will not be necessary for the county or the company to have beneficial use of a portion of the facility while it is under construction.
- There is a very defined project scope and budget for the Halifax County Industrial Building Expansion with a maximum budget of \$2 million that provides a benefit to Halifax County in that no county funds are directly required to construct the expansion. This requires that the opportunity for negotiated construction and the flexibility to revise the project scope as the project progresses to take advantage of cost savings/efficiencies that materialize.

- The design-build delivery method meets the ultimate operational goals for the Halifax County Industrial Building Expansion Project. Concurrent design and construction activities will result in a facility that meets the County's construction standards, but allows the project to be completed within the county's funding resources available and shortened timeframe requested by the leasing company.

Criteria 6: As stated under Criteria #2, one of the benefits of the Design-Build process is that it can reduce the overall project schedule by six to nine months. This is critical to meeting the needs of the lessee of the building to accelerate employment to meeting short and long term production demands. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid, and construct project. The budget for the expansion of the Halifax Industrial Building is an amount NTE \$2.0 million. By reducing the time frame by several months, we are eliminating the price escalation that would occur within that period of time. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvements of the facility. It is expected that the design-build process will allow more of our allocated funding to be used for actual construction over what our typical RFQ-study-design-bid-build process would allow.

With this project, the benefits to both the project schedule and cost make the design-build option more appealing than the conventional design/bid/build process.



AGENDA
Halifax County Board of Commissioners
Regular Meeting

TO: Halifax County Board of Commissioners

FROM: Vernon J. Bryant, Chairman

PRESENTER: Vernon J. Bryant, Chairman

SUBJECT: Letter of Special Recognition - Katherine Lee's 90th Birthday

DATE: February 17, 2020 Regular Meeting

SUPPORTING INFORMATION:

Attached, please find a letter celebrating Katherine Lee's 90th Birthday.

ATTACHMENTS:

Description

- Letter of Special Recognition - Katherine Lee's 90th Birthday

TOTAL COST:

COUNTY COST:

REQUEST: Approve the letter celebrating Katherine Lee's 90th Birthday.

Halifax County Board of Commissioners

Vernon J. Bryant, Chairman
J. Rives Manning, Jr., Vice-Chairman
Carolyn C. Johnson
Linda A. Brewer
Marcelle O. Smith
T. Patrick W. Qualls



Tony N. Brown
County Manager
Andrea H. Wiggins
Clerk to the Board
M. Glynn Rollins, Jr.
County Attorney

Halifax County Historic Courthouse
10 North King Street, Post Office Box 38, Halifax, North Carolina 27839
252-583-1131 · Fax: 252-583-9921
www.halifaxnc.com

January 14, 2020

Ms. Katherine Lee
9927 N. C. Highway 561
Halifax, North Carolina 27839

Dear Ms. Lee:

On behalf of the Halifax County Board of Commissioners, I would like to honor and congratulate Katherine Lee who was born on February 7, 1930 and will be celebrating the remarkable age of 90 years old.

Ms. Lee is a dedicated public servant and has faithfully served on a number of Halifax County Boards and Commissions and currently serves on the Halifax County Council on Aging. She is also a faithful member of the First Baptist Church located in Weldon, North Carolina.

On behalf of the Halifax County Board of Commissioners, it is an honor and a pleasure to extend to Katherine Lee our sincere congratulations and best wishes for many more happy years.

With kindest regards, I am

Sincerely,

Vernon J. Bryant, Chairman
Halifax County Board of Commissioners

The mission of the Halifax County Board of Commissioners is to provide leadership and support for an effective county government that seeks to enhance the quality of life for the people of Halifax County.

In God We Trust