City of Asheville Staff Report

City Council Meeting Date: October 27th, 2026

Staff Resources: Walter Ear, PE, CFM, Department Director

Action Requested: Adoption of a resolution authorizing the City Manager to enter into a construction contract amendment to the contract with Harper General Contractors, Inc., in the amount of $4,400,000 for the Malvern Hills Park Project; and further authorizing the City Manager to execute any change orders that may arise up to the contingency amount of $560,000.

Background:

- This City of Asheville project will replace the existing 90 year old municipal pool in Malvern Hills Park with a modern, code-compliant, and accessible aquatic facility (including the pool house and pump house buildings). The new pool will enhance community recreation opportunities, ensure accessibility for a broader range of residents, and provide a more sustainable pool facility with reduced operations and maintenance costs.
- In 2017, the Parks & Recreation Department commissioned a pool assessment which revealed that the pool, built in 1922, had exceeded its expected useful life. The department implemented the assessment's recommended repairs until further maintenance became infeasible. As a result, the decision was made to close the pool for the 2023 swim season until a replacement could be built. The Malvern Hills Park Project was identified as a funding priority in the 2024 Parks General Obligation (GO) Bond. In 2025 Clark Nexsen was selected and awarded the design contract.
- Design decisions were informed by the following engagement: A spring 2025 community preference survey informed the pool's initial design. City Staff recommended an option to City Council and the community, which balanced the budget, safety, code requirements, and survey feedback. City staff then took the design back to the public for further engagement.
    a. Public Engagement Included the following outreach events:
        - September 23rd public meeting at West Asheville Park,
        - September 30th at the West Asheville Tailgate Market,
        - October 1st at the RAD Farmers Market, and
        - A concurrent online survey was conducted.
    b. The feedback from the above public outreach indicated the community seeks more space in the 5-feet and deeper zone, and a sloped entry.
    c. Layouts and costs for all three options were posted on the Malvern Hills Park Project Page to make it publicly available, and included meetings with City Council members and the Rebuild Malvern Hills Pool group.
    d. Settled on a design direction in November 2025 for a layout that balanced the needs (budget, safety, code, and identified community needs) of all stakeholders (city project management staff, Parks Department, City Council, and community advocates).
- The City is using a Construction Manager at Risk (CMAR) construction project delivery method in order to expedite the construction start date. In the fall of 2025, Harper

General Contractors was selected as the most qualified to provide CMAR services and a contract for pre-construction services was entered for $30,000.
- Construction documents have been completed by the Clark Nexsen design team and Harper General Contractors has solicited bids for subcontractors to perform the work. These bids inform the Guaranteed Maximum Price for the construction contract amendment, with a not to exceed price of $5,000,000, including contingency and preconstruction services.
- The project is currently on schedule to begin construction late 2026 and pool opening for the Summer 2028 swim season.

Vendor Outreach:

- Staff performed outreach through solicitation processes which include posting on the State's Interactive Purchasing System.
- The CMAR prime contractors outreached to solicit subcontractors
- Funding for this contract is included in the adopted Capital Improvement Program (CIP) Project# Y2502 Construction

Council Vision 2036 Focus Area(s):

- A well-planned and livable community

Council Priority Recovery Area(s):

- Not applicable

Committee:

- None

Fiscal Impact:

- Funding for this contract will be provided by the FY24 General Obligation Bond. Expansion of the budget for this project may impact the budget of other projects proposed in the FY24 GO Bond.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to enter into a construction amendment to the contract with Harper General Contractors, Inc., in the amount of $4,400,000 for the Malvern Hills Park Project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $560,000.

Attachment(s):

- Resolution
- Pool rendering and site plan

City of Asheville Resolution Number 26-___

Resolution authorizing the City Manager to enter into a construction contract amendment to the contract with Harper General Contractors, Inc., a South Carolina Corporation authorized to do business in North Carolina, in the amount of $4,400,000 for the Malvern Hills Park Project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $560,000.

Whereas, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

Whereas, pursuant N.C.G.S. § 143-128.1 and N.C.G.S. § 143-64.31, qualifications were solicited for the Construction Manager at Risk Services for Malvern Hills Park Improvements; and

Whereas, Harper General Contractors, Inc., was selected as the most qualified team for the project and presented an acceptable scope of work for Construction Manager At Risk ("CMAR") services associated with the project; and

Whereas, the City entered into a CMAR contract with Harper General Contractors on 12-30-25, for preconstruction services in the amount of $30,000; and

Whereas, Harper has now provided the City with the Guaranteed Maximum Price ("GMP") for the construction phase of the contract which is $4,400,000.00 plus contingency, and funding for the project is allocated within the 2024 GO Bond Program Funding;

Now, Therefore, be it resolved by the City Council of the City of Asheville that:

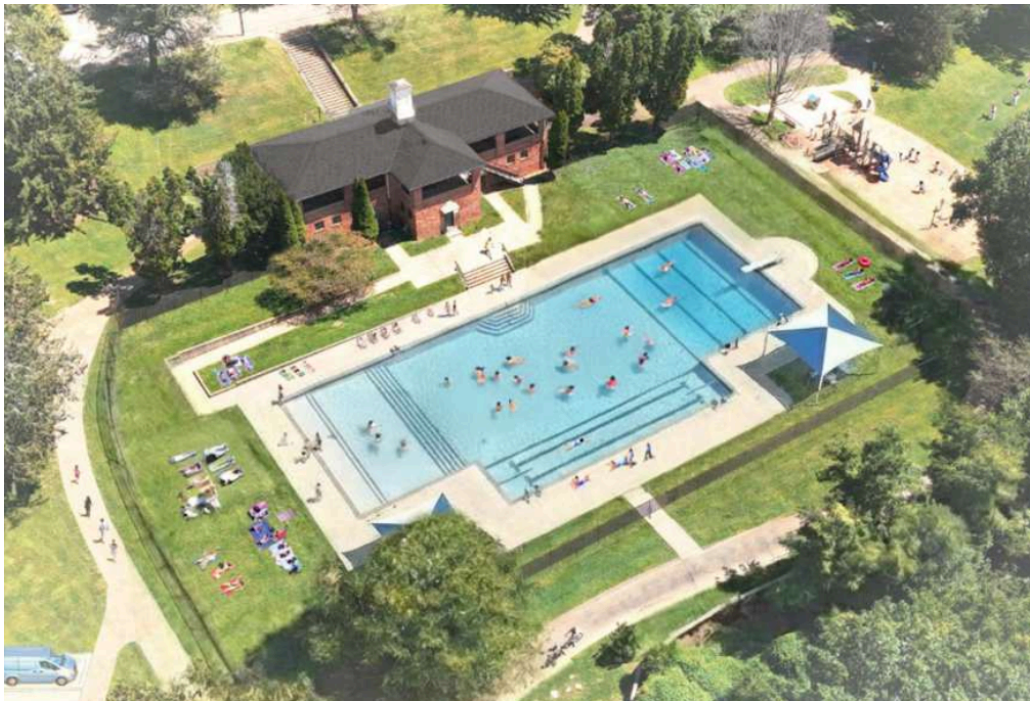
The City Manager is hereby authorized to execute an amendment to the CMAR contract with Harper General Contractors, Inc., in the amount of $4,400,000.00, for the Malvern Hills Park Improvement project; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $560,000.00.

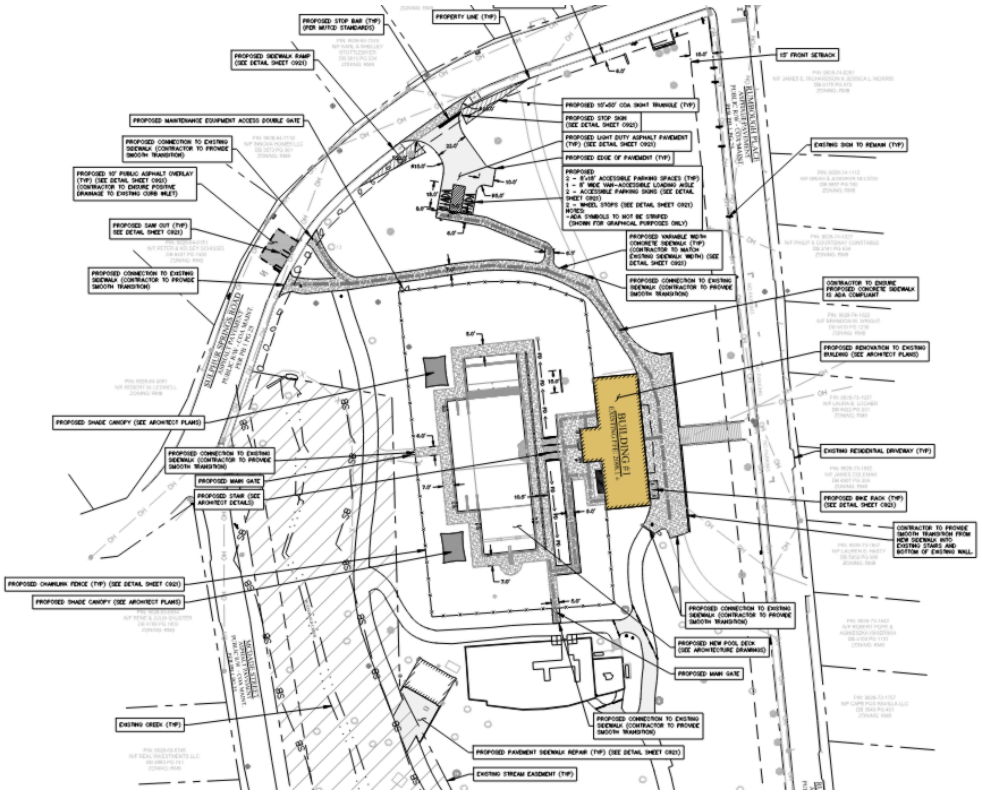
Read, approved and adopted this 27th day of October, 2026.

_____
Esther E. Manheimer, Mayor

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Brad Branham, City Attorney

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Magdalen Burleson, City Clerk




PROPOSED STOP BAR (TYP) (PER MUTCD STANDARDS)
PROPERTY LINE (TYP)
PROPOSED SIDEWALK RAMP (SEE DETAIL SHEET C902)
15' FRONT SETBACK
PROPOSED 10'-00" CDA SIGHT TRIANGLE (TYP)
PROPOSED STOP SIGN (SEE DETAIL SHEET C902)
PROPOSED MAINTENANCE EQUIPMENT ACCESS DOUBLE GATE
PROPOSED LIGHT DUTY ASPHALT PAVEMENT (TYP) (SEE DETAIL SHEET C902)
EXISTING SIGN TO REMAIN (TYP)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
PROPOSED EDGE OF PAVEMENT (TYP)
PROPOSED 10' PUBLIC ASPHALT OVERLAY (TYP) (SEE DETAIL SHEET C902) (CONTRACTOR TO ENSURE POSITIVE DRAINAGE TO EXISTING CURB INLET)
PROPOSED:
2 - 8'x18' ACCESSIBLE PARKING SPACES (TYP)
1 - 8' WIDE VAN-ACCESSIBLE LOADING AISLE
2 - ACCESSIBLE PARKING SIGNS (SEE DETAIL SHEET C902)
2 - WHEEL STOPS (SEE DETAIL SHEET C902)
NOTES:
-ADA SYMBOLS TO NOT BE STRIPED
(SHOWN FOR GRAPHICAL PURPOSES ONLY)
PROPOSED SAW CUT (TYP) SEE DETAIL SHEET C902)
PROPOSED VARIABLE WIDTH CONCRETE SIDEWALK (TYP) (CONTRACTOR TO MATCH EXISTING SIDEWALK WIDTH) (SEE DETAIL SHEET C902)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
CONTRACTOR TO ENSURE PROPOSED CONCRETE SIDEWALK IS ADA COMPLIANT
SILVER LAKE BOULEVARD PUBLIC (VAR. WIDTH)
PROPOSED RENOVATION TO EXISTING BUILDING (SEE ARCHITECT PLANS)
BUILDING #1
PROPOSED SHADE CANOPY (SEE ARCHITECT PLANS)
EXISTING RESIDENTIAL DRIVEWAY (TYP)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
PROPOSED MAIN GATE
PROPOSED STAIR (SEE ARCHITECT DETAILS)
PROPOSED BIKE RACK (TYP) (SEE DETAIL SHEET C902)
CONTRACTOR TO PROVIDE SMOOTH TRANSITION FROM NEW SIDEWALK INTO EXISTING STONE AND BOTTOM OF EXISTING WALL.
PROPOSED CHAINLINK FENCE (TYP) (SEE DETAIL SHEET C902)
PROPOSED SHADE CANOPY (SEE ARCHITECT PLANS)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
PROPOSED NEW POOL DECK (SEE ARCHITECTURE DRAWINGS)
PROPOSED MAIN GATE
EXISTING CREEK (TYP)
PROPOSED CONNECTION TO EXISTING SIDEWALK (CONTRACTOR TO PROVIDE SMOOTH TRANSITION)
PROPOSED PAVEMENT SIDEWALK REPAIR (TYP) (SEE DETAIL SHEET C902)
EXISTING STREAM EASEMENT (TYP)