Resolution #R-24-40

RESOLUTION BY THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL TO APPROVE AND RATIFY A CONTRACT FOR PROFESSIONAL EMERGENCY PROPERTY RESTORATION SERVICES FOR THE BLACK MOUNTAIN FEDERAL DISASTER 4827- TROPICAL STORM HELENE

WHEREAS, on September 25, 2024, Governor Roy Cooper signed a State of Emergency declaration in anticipation of impacts from Tropical Storm Helene; and

WHEREAS, on September 25, 2024, the Buncombe County Commissioners signed a Local State of Emergency declaration by and with the consent of the mayors of the municipalities within Buncombe County; and

WHEREAS, on September 30, 2024, the Town Council signed Local State of Emergency declaration and on October 7, 2024, the Town Council adopted Resolution #R-24-34 authorizing emergency contracting measures; and

WHEREAS, under 2 C.F.R. § 200.320(f) and the authority granted in Town Resolution #R-24-34, and with guidance from emergency personnel and FEMA guidelines, the Project & Facilities Manager secured a contract with Belfor Property Restoration Group, Inc. on October 18, 2024, for emergency property restoration services; and

WHEREAS, contracting of disaster remediation services from Belfor Property Restoration Group, Inc. is an eligible expense under FEMA's Public Assistance Program. The services provided will support emergency protective measures and the restoration of damaged public infrastructure, which is necessary for the continued operation of government services and community programs. The expenses align with FEMA's guidelines for the mitigation of disaster-related damage to public buildings and facilities in response to Federal Disaster 4827- Tropical Storm Helene.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Black Mountain, North Carolina that:

1. The contract with **Belfor Property Restoration Group, Inc.** (selected firm) is hereby ratified and approved as it was procured during the exigency period of Federal Disaster 4827 in order to avoid, prevent, or alleviate serious harm or injury, financial or otherwise, and to support emergency protective measures and the restoration of damaged public infrastructure, which is necessary for the continued operation of government services and community programs.
2. The town determined that additional formal procurements were not necessary since Belfor provided competitive rates consistent with competitively procured contracts for other sub-recipients, and thus the costs are reasonable per 2 CFR 200. and the use of a competitive procurement proposal would prevent the urgent action required to address the situation.
3. **Belfor Property Restoration Group, Inc.** (selected firm) is most advantageous to provide emergency professional property restoration services for the Town of Black Mountain in response to Federal Disaster 4827- Tropical Storm Helene.

4. **Belfor Property Restoration Group, Inc.** (selected firm) contract and itemized rate and materials schedule (Exhibit B) is consistent with the Town's purchasing terms and conditions, Uniform Guidance, and FEMA's rules and regulations and of this Resolution.

5. The Town Manager or his designee is further authorized to negotiate the necessary scope of work and a fee not to exceed $1,000,000.00. Any subsequent amendments that result in additional fees or services will come back to the Council for approval.

Ratified and Adopted by the Town Council of the Town of Black Mountain, North Carolina on the 9th day of December 2024.

ATTEST:

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Wesley M. Barker, Town Clerk

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C. Michael Sobol, Mayor

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Josh Harrold, Town Manager