RESOLUTION NO. 2025-XX

RESOLUTION APPROVING A "MINI BROOKS ACT" EXEMPTION FOR WATER TREATMENT PLANT 2ND INTAKE GRANT APPLICATION ASSISTANCE AS PER G.S. 143-64.32

WHEREAS, G.S. 143-64.31 (often referred to as the "Mini Brooks Act") requires the initial solicitation and evaluation of firms to perform architectural , engineering, surveying, construction management-at-risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, the City at times has a need for services estimated to cost below the $50,000 exemption threshold per G.S. 143-64-32 that authorizes local-government exemption from the qualifications-based selection requirements of G.S. 143-64.31; and

WHEREAS, the North Carolina Department of Environmental Quality Division of Water Infrastructure and the State Water Infrastructure Authority are presently offering a grant up to $10,000,000 of which up to $5,000,000 is principal forgiveness with the remaining $5,000,000 being a 0% interest loan; and

WHEREAS, the City has a need to add a 2nd water intake at the Water Treatment Plant to increase our resilience and redundancy, as proven by past failures and complications at the Water Treatment Plant; and,

WHEREAS, the proposed cost for to provide grant application assistance for funding to support a 2nd Intake at the Water Treatment Plant is less than $50,000 ($18,000 Not to Exceed); and

WHEREAS, the engineering firm, Brown Consultants PA is well qualified and experienced in working with the North Carolina Department of Environmental Quality Division of Water Infrastructure and the State Water Infrastructure Authority, and is very familiar with the City's water treatment facilities; and

WHEREAS, the City wishes to use Brown Consultants PA for assistance with completing the grant application prior to the January 9th, 2026 deadline.

NOW, THERFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BREVARD, NORTH CAROLINA THAT:

Section 1. City Staff are authorized to apply for the North Carolina Department of Environmental Quality, Division of Water Infrastructure and the State Water Infrastructure Authority funding up to $10 million dollars.

Section 2. The selection of the engineering firm Brown Consultants PA for the Water Treatment Plant 2nd Intake Grant Application Assistance be exempt from the 'Mini Brooks" Act as per G.S. 143-64-32.

Section 3. This resolution shall be effective upon adoption.

Adopted and approved this 5th day of January 2026

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Maureen Copelof
Mayor

ATTEST:

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Denise Hodsdon, CMC
City Clerk