Council Member _____ made a motion to approve the following resolution. A vote of ____ in favor.

TOWN OF BLACK MOUNTAIN, NORTH CAROLINA

A RESOLUTION EXEMPTING A PARTICULAR STRUCTURAL ENGINEERING PROJECT FROM THE QUALIFICATIONS-BASED SELECTION REQUIREMENTS

RESOLUTION NO. # R-26-83

WHEREAS, the Town of Black Mountain has a need for professional structural engineering services related to the evaluation of the Town's vacant Public Safety Building; and

WHEREAS, the Town anticipates that the professional fee for these structural engineering services will be approximately $5,000 to $10,000; and

WHEREAS, N.C. General Statute 143-64.32 authorizes a unit of local government to exempt a particular project from the provisions of Article 3D when the estimated professional fee is less than $50,000; and

WHEREAS, the Town has adopted a purchasing policy that generally requires a Request for Qualifications (RFQ) for certain professional services exceeding $1,000; and

WHEREAS, the Town Council, as the governing body for the Town, desires to exercise its authority to waive the Town's RFQ requirement for this particular project while maintaining all other applicable purchasing, contracting, budgeting, and legal requirements; and

WHEREAS, the Town Council finds that a project-specific waiver is appropriate given the limited scope and estimated cost of the structural engineering services.

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

1. State-Law Exemption Pursuant to N.C. General Statute 143-64.32, the Town Council hereby exempts the structural engineering services for the evaluation of the vacant Public Safety Building from the qualifications-based selection requirements of Article 3D, based upon an estimated professional fee of $5,000 to $10,000.

2. Waiver of Town RFQ Requirement. The Town Council hereby waives the Town's purchasing-policy requirement for an RFQ for this particular structural engineering project, notwithstanding the general $1,000 threshold contained in the Town's purchasing policy.

3. Limited Application. This waiver applies only to the structural engineering services necessary to evaluate the vacant Public Safety Building and shall not constitute a general amendment, suspension, or waiver of the Town's purchasing policy or its RFQ requirements for other professional services contracts.

4. Procurement and Contract Authorization. The Town Manager is authorized to obtain a proposal from a qualified structural engineer, negotiate reasonable compensation, and execute an agreement for the services, subject to the availability of appropriate funds and all other applicable Town and State requirements.

5. No Emergency Finding. This exemption and waiver are based on the authority described above and are not based upon a declaration or finding of an emergency.

6. Effective Date. This Resolution shall be effective immediately upon its adoption.

Adopted this the 2nd day of October, 2026.

TOWN OF BLACK MOUNTAIN

_____

C. Michael Sobol, Mayor

ATTEST:

_____

Wesley M. Barker, Town Clerk