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

A RESOLUTION OF THE TOWN OF BLACK MOUNTAIN TOWN COUNCIL AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH McADAMS FOR PHASE II ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE HILLTOP ROAD EMERGENCY REPAIRS PROJECT (FEMA PROJECT #811550)

RESOLUTION NO. # R-26-06

WHEREAS, on September 27, 2024, Tropical Storm Helene caused a landslide on Hilltop Road in the Town of Black Mountain, resulting in significant slope failure, damage to public infrastructure, destruction of a stormwater pipe system, and rendering the roadway impassable; and

WHEREAS, the Town of Black Mountain has received Federal Emergency Management Agency (FEMA) Public Assistance funding under FEMA Project #811550 for emergency stabilization and repair activities associated with the Hilltop Road Emergency Repairs Project; and

WHEREAS, on June 9, 2025, the Town Council adopted Resolution No. R-25-24 authorizing the Town Manager to enter into a professional services agreement with McAdams for engineering, design, permitting, and construction administration services related to emergency stabilization of Hilltop Road; and

WHEREAS, the professional services agreement with McAdams was executed under the Town's approved master services agreement adopted on June 9, 2025; and

WHEREAS, the Hilltop Road Emergency Repairs Project is proceeding into **Phase II**, which includes final roadway, drainage, and erosion control design, FEMA documentation, bidding assistance, and construction administration necessary to advance the project to construction; and

WHEREAS, Town staff have negotiated **Change Order No. 2** to the professional services agreement with McAdams to provide the additional engineering, permitting, bidding, and construction administration services required for Phase II repairs; and

WHEREAS, Change Order No. 2 authorizes services in a **not-to-exceed amount of $124,079**, billed on an hourly basis in accordance with the contract rate schedule; and

WHEREAS, the costs associated with Change Order No. 2 are eligible for reimbursement through FEMA's Public Assistance Program, and obligation of FEMA funds may occur prior to the services being performed; and

WHEREAS, approval of this change order is necessary to advance the project to construction and to support FEMA Public Assistance documentation and reimbursement requirements.

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

1. **Change Order No. 2** to the professional services agreement with McAdams for the Hilltop Road Emergency Repairs Project is hereby approved in a **not-to-exceed amount of $124,079** for Phase II engineering, permitting, bidding support, FEMA documentation, and construction administration services.
2. The Town Manager is hereby authorized to execute Change Order No. 2 and any related documents consistent with the terms of the master services agreement, this Resolution, and the Town's purchasing policies, subject to review and approval by the Town Attorney.
3. This Resolution supplements and does not supersede Resolution No. R-25-24, and all actions previously taken in furtherance of the Hilltop Road Emergency Repairs Project remain in full force and effect.

Adopted by the Town Council of the Town of Black Mountain, North Carolina, this 12th day of January, 2026.

_____
C. Michael Sobol, Mayor

ATTEST:

_____
Wesley M. Barker, Town Clerk