

RESOLUTION AUTHORIZING THE CITY MANAGER TO USE THE CONSTRUCTION
MANAGER AT RISK DELIVERY METHOD TO CONSTRUCT THE STEVEN B. TANGER
CENTER FOR THE PERFORMING ARTS

WHEREAS, On March 4, 2014, the City Council adopted a Resolution Authorizing the Mayor and City Manager to Enter into a Memorandum of Understanding Between the Community Foundation of Greater Greensboro and the City to design, finance, develop, construct, and manage the operations and programs of the proposed Steven B. Tanger Center for the Performing Arts;

WHEREAS, as part of this Memorandum of Understanding, the Community Foundation of Greater Greensboro, through private donors, agreed to pay up to \$5 million of design costs for the facility and \$30 million for the construction costs;

WHEREAS, the City also agreed to pay up to \$30 million for the construction of the facility;

WHEREAS, City staff, working in conjunction with the Community Foundation of Greater Greensboro, recommends that the City Council select the Construction Manager at Risk construction delivery method to construct the Steven B. Tanger Center for the Performing Arts.

WHEREAS, pursuant to North Carolina General Statutes 143-128.1, the City Council must first compare the advantages and disadvantages of using the Construction Manager at Risk delivery method for this project in lieu of the delivery methods identified in North Carolina General Statutes 143-128(a1)(1) through (a1)(3).

WHEREAS, City staff has prepared a memorandum analyzing the advantages and disadvantages of using the Construction Manager at Risk delivery method in lieu of the separate prime, single prime and dual bidding delivery methods authorized by N.C.G.S. 143-128 (a1)(1) through (a1)(3).

WHEREAS, the City Council concludes that the advantages to using the Construction Manager at Risk delivery method for this project outweigh its few disadvantages.

WHEREAS, the City Council concludes that the six advantages of using the Construction Manager at Risk delivery method for this project are as follows:

1. Reduction in Significant Change Orders
2. Cost Control
3. Fast Tracking
4. The Construction Manager is Selected by Qualifications, Not Price
5. Increased Opportunities for M/WBE Participation
6. The Experience of Other Municipalities.

WHEREAS, the City Council concludes that the disadvantages of using the Construction Manager at Risk delivery method for this project are that the Construction Manager at Risk delivery method requires a high level of communication with the City and the Construction

Manager, and drafting the contracts that adequately establish the relationships and interactions between the architects and engineers who will be designing the project and the Construction Manager can be difficult.

WHEREAS, the City and the Community Foundation of Greater Greensboro, through their attorneys, have worked very hard to make sure that all of the design contracts with the design professionals contained the necessary language to establish these relationships and responsibilities;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That after considering the advantages and disadvantages of using the Construction Manager at Risk delivery method to construct the Steven B. Tanger Center for the Performing Arts pursuant to North Carolina General Statutes 143-128.1(e), the City Council concludes that it is in the best interest of the City and of the project to authorize the City Manager to use the Construction Manager at Risk delivery method to construct the Steven B. Tanger Center for the Performing Arts facility.