

RESOLUTION AUTHORIZING CITY STAFF TO EXECUTE A CONTRACT WITH  
SKANSKA RENTENBACH, A JOINT VENTURE, TO CONSTRUCT PHASE 1 OF THE  
STEVEN B. TANGER PERFORMING ARTS CENTER FOR THE GUARANTEED  
MAXIMUM PRICE NOT TO EXCEED \$2,501,729.15

WHEREAS, on March 4, 2014, the City Council adopted a Resolution authorizing the Mayor and City Manager to enter into a Memorandum of Understanding (“MOU”) between the Community Foundation of Greater Greensboro (“CFGG”) and the City to design, finance, develop, construct, and manage the operations and programs of the proposed Steven B. Tanger Performing Arts Center (STPAC) for a total cost of \$65 million.

WHEREAS, on January 6, 2015, pursuant to this MOU, the City Council adopted a Resolution authorizing the execution of a contract with Skanska USA Building, Inc. and Rentenbach Constructors, Incorporated, which subsequently formed, Skanska Rentenbach, A Joint Venture, (“Skanska/Rentenbach”) to act as the City’s Construction Manager-at-Risk (“CMAR”) to perform Pre-Construction services for the construction of the STPAC.

WHEREAS, on December 8, 2015, the City increased its funding commitment to \$39.6 million and the CFGG increased its commitment to \$38.5 million.

WHEREAS, Skanska Rentenbach and City staff agree that it would be advantageous for the City to break the construction of the STPAC into at least two phases. Phase 1 will consist of making the site “shovel-ready”, which includes Grading, Earthwork and Storm Water Utilities, and the installation of Water, Sewer, and Electrical Utilities. Subsequent phases will consist of the actual construction of the building and other related facilities.

WHEREAS, pursuant to N.C.G.S. 143-128.1, Skanska/Rentenbach submitted their plan to make “Good Faith Efforts” to recruit Minority and Women Business Enterprises (“M/WBE”) and small business enterprises as First, Second, and Third Tier Subcontractors on this project to the City’s M/WBE Office on February 13, 2017, and pre-qualified its First-Tier Subcontractors in accordance with the provisions of N.C.G.S. 143-128.1 beginning February 19, 2017 to March 20, 2017.

WHEREAS, the MOU established a 20% MWBE subcontracting goal for the eligible construction and supplier contracts, and the City’s Goal Setting Committee also set a 20% goal on the eligible construction and supplier contracts.

WHEREAS, pursuant to the City’s Request for Proposal (“RFP”) to select a CMAR to design and construct the STPAC, Skanska/Rentenbach selected the following MWBE protégés in its Proposal:

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|---|---|----------|--------|
| 1) Pre-Construction Phase Protégé           | RFI, LLC,<br>Rupert Burrows             | Guilford | MBE 5% |
| 2) Construction Management<br>Phase Protégé | Sterling Construction, Inc.<br>Lee Addo | Forsyth  | MBE 6% |

WHEREAS, the Phase 1 Scope of Work was advertised on March 27, 2017, and bids were received on April 13, 2017.

WHEREAS, Muter Construction, LLC, a certified WBE on the State's Historically Underutilized Business list, but located in Wake County, was the lowest, responsive, responsible bidder for the Earthwork and Storm Water Utilities Scope of Work with a bid of \$1,040,544.

WHEREAS, Muter Construction, LLC committed to meet its 20% MWBE subcontracting goal on this scope of work by committing to subcontract with the following MWBE firms, all of which are within the City's ten county Metropolitan Statistical Area and meet the requirements of the City's MWBE Program Plan:

1) F-T Trucking, LLC,	Carole Oduyoye	Forsyth	MBE	10%
2) Carolina Disposal Service, Inc.	Robyn Hogan	Davidson	WBE	5%
3) Jessie Lane's Landscaping & Trucking, Inc.	Jessica Friddle	Guilford	WBE	2%
4) David Trickey, Inc. d/b/a State Construction	Karen Trickey	Alamance	WBE	3%

WHEREAS, Muter Construction, LLC was the lowest, responsible, responsive bidder for the Water and Sewer Utilities Scope of Work, with a bid of \$470,589, and Muter Construction, LLC proposes to self-perform this scope of work pursuant to N.C.G.S. 143-128.2(c).

WHEREAS, Bryant-Durham Electric, Inc. was the lowest, responsible, responsive bidder for the Site Electrical Scope of Work, with a bid of \$56,709. Bryant-Durham Electric, Inc. committed to subcontract with following two certified MWBE firms, both of which are located within the City's ten county Metropolitan Statistical Area:

1) C2 Contractors, LLC	Cornelious Lamberth	Guilford	MBE	16.5%
2) Mayer Electrical Supply Company	Nancy Goedecke	Guilford	WBE	21.0%

WHEREAS, the project cost of the Phase 1 Guaranteed Maximum Price is not to exceed \$2,501,729.15, and these project costs will be funded from accounts established in the Performing Arts Center Capital Project Fund.

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

That City staff is authorized to execute a contract with Skanska Rentenbach, A Joint Venture, for the construction of Phase 1 of the Steven B. Tanger Performing Arts Center for a Guaranteed Maximum Price not to exceed \$2,501,729.15.