

RESOLUTION DELEGATING TO THE CITY MANAGER OR HIS DESIGNEE THE CITY COUNCIL'S AUTHORITY UNDER N.C.G.S. 143-64.32 TO EXEMPT SPECIFIC PROJECTS FROM THE MINI-BROOKS ACT, ON A PROJECT-BY-PROJECT BASIS, WHERE THE ESTIMATED PROFESSIONAL FEE IS LESS THAN FIFTY THOUSAND DOLLARS (\$50,000)

WHEREAS, the Mini-Brooks Act, Article 3D of Chapter 143 of the North Carolina General Statutes, N.C.G.S. §143-64.31 *et. seq.*, requires local governments to hire all architects, engineers, and surveyors by their qualifications. Price is considered only after the most qualified firm is selected.

WHEREAS, the Mini-Brooks Act, in Section 143-64.32, allows units of local government to exempt in writing particular projects from the Act where the estimated professional fee is less than (\$50,000).

WHEREAS, the North Carolina School of Government, in an article written by Norma Houston entitled, "Mini-Brooks Act FAQ's", opined that the City Council could authorize the City Manager to grant exemptions, in writing, for certain projects so long as the contracts entered into under the exemption are less than \$50,000. The School of Government also opined that the statute, N.C.G.S. 143-64.32, did not authorize blanket exemptions, and the exemption should be used on a project-by-project basis.

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

That the City Council delegates to the City Manager or his Designee the City Council's authority under N.C.G.S. §143-64.32 to exempt specific projects from the Mini-Brooks Act, on a project-by-project basis, where the estimated professional fee is less than Fifty Thousand Dollars (\$50,000).