

**RESOLUTION TO APPROVE PROCUREMENT  
OF CONTRACT FOR COURTS COMPLEX PROJECT  
USING CONSTRUCTION MANAGEMENT PROCEDURES**

**WHEREAS**, Virginia Code § 2.2-4382 authorizes local public bodies to enter a contract for construction on a fixed price or not-to-exceed price construction management basis, provided that the local body: (i) has implemented specific procedures set forth in Virginia Code § 2.2-4382; (ii) has in its employ or under contract a licensed architect or engineer with professional competence appropriate to the project who shall advise the public body regarding the use of construction management for that project and shall assist the public body with the preparation of the Request for Proposal and the evaluation of such proposals; and (iii) makes a written determination that competitive sealed bidding is not practicable or fiscally advantageous, and shall document the basis for the determination to utilize construction management; and

**WHEREAS**, the County's Purchasing Manual includes Chapter 28, Construction Management Procedures, which delineates procedures as required in Virginia Code § 2.2-4382; and

**WHEREAS**, the County has under term contract a licensed engineer with professional competence appropriate to the Courts Complex Project (the "Project") who has advised the County in the use of construction management for the project and will assist with the preparation of the Request for Proposal and the evaluation of the proposals; and

**WHEREAS**, the County's Purchasing Agent has made a written determination that sealed bidding is not practicable or fiscally advantageous to the County for the procurement of the Project contract, which is supported by the written analysis in the memorandum dated February 26, 2020 from Blake Abplanalp, Chief of Facilities Planning and Construction, to Tom Winder, Purchasing Agent (and which is attached hereto) that was used as the basis to determine the use of construction management procedures for the Project; and

**WHEREAS**, the Board finds it is in the best interests of the County to approve the procurement of the contract for the Project using construction management procedures.

**NOW, THEREFORE, BE IT RESOLVED** that the Albemarle County Board of Supervisors hereby approves the procurement of the contract for the Courts Complex Project using construction management procedures.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County by a vote of \_\_\_\_ to \_\_\_\_, as recorded below, at a meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Gallaway	___	___
Ms. LaPisto-Kirtley	___	___
Ms. Mallek	___	___
Ms. McKeel	___	___
Ms. Palmer	___	___
Ms. Price	___	___