

REQUEST FOR BOARD ACTION

**HENDERSON COUNTY
BOARD OF COMMISSIONERS**

MEETING DATE: April 15, 2026

SUBJECT: Construction Manager at Risk Request for Proposal Selection Criteria

PRESENTER: Christopher Todd, Assistant County Manager

ATTACHMENTS: 1) Draft Request for Qualifications Document

SUMMARY OF REQUEST:

At the request of the Board of Commissioners, staff has reviewed their process for the selection of a Construction Manager at Risk. Staff reviewed best practices across the state to develop a process is intended to determine the most qualified applicants for a Construction Manager at Risk.

BOARD ACTION REQUESTED:

No specific Board Action is requested. The Board is requested to discuss the items presented and direct Staff accordingly.

SUGGESTED MOTION:

No motion suggested.



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**Although the exact cost for this project is yet to be determined, the estimated construction cost is 5-6 million dollars.

Format for Statements of Qualifications:

Each proposal submitted (6 hard copies), in response to this solicitation should address the following elements:

1. A description of the professional qualifications of the firm and staff proposed for the Construction Manager at Risk services. Clearly indicate the experience (with current and previous firms) and roles of staff members. Include information about the firm's Licensure in North Carolina.
2. Provide information showing your proximity to Henderson County, including both your local office and upper management personnel. Additionally, provide information on your knowledge of local codes and ordinances.
3. Will this project be managed and directed from an office in NC? An office in NC is defined as "The principal place from which trade or business of the bidder is directed or managed," per GS143-59(c)."
4. An explanation of the CMR's approach to addressing the proposed scope of services outlined in this document.
5. A brief description of projects completed that are similar in scope and size. For each project listed, please include the name of the entity and the name, and contact information of the person, who would be familiar with the work performed.
6. A schedule of hourly compensation rates for the proposed project team.
7. Additional references.

Please note, firms may submit prior work product that shows their competence as it relates to this RFQ. However, firms may NOT submit work products or designs for the project described in this RFQ. Firms can NOT submit an estimated total fee, total contract price, or an estimation of hours involved in completing the project in response to this RFQ.

Selection Process:

Proposals submitted by the deadline will be evaluated by a not yet determined selection committee, comprised of staff from Henderson County and Blue Ridge Community College. Each firm will be evaluated based upon the following weighted criteria.

The following criteria will be used to evaluate the solicitations:

1. Evaluation of Project Team (20%)
2. Firm's knowledge of local codes and ordinances.(10%)
3. The firm meets the requirements of GS 143-59(c) to be found to be a 'resident bidder' (5%)
4. Firm's History and resource capability to perform and provide the required services (20%)
5. Previous descriptions of similar design projects (20%)



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6. Ability to relate to project requirements per schedule of hourly compensation (10%)
7. Additional references. (15%)

As a general guide to prospective proposers, the Professional Services selection procedures adopted by North Carolina, appropriately modified by Henderson County, will be employed in the selection process, and weighted as noted above. All proposals must include all aspects of North Carolina law and Henderson County policy. The owner may or may not interview potential candidates to assist in the selection process.

Standard of Award:

The standard of award for this Request for Qualifications will be based on the demonstrated competence and qualifications of firms to provide Construction Manager at Risk services for the new construction of the Blue Ridge Community College Facility Building. Proposals will be reviewed after opening and will be ranked in order of choice based on selection criteria, at which point, contract negotiations will begin with the most qualified firm. Should negotiations fail with the initial qualified firm, the County may, at its discretion, continue negotiations with lower ranked qualified firms. The County shall not be bound or in any way obligated until both parties have executed a contract. The County reserves the right to delay the award of a contract or to not award a contract.

Henderson County reserves the unqualified right to reject any and/or all statements of qualifications, and to waive any informalities in so far as it is authorized to do so and further specifically reserves the right to make the award in the best interest of the County. Qualified firms interested in providing qualification statements or having questions for this project may contact Bryan Rhodes @ brhodes@hendersoncountync.gov

CMR Requirements

The CMR shall contract directly with the County for all construction; shall publicly advertise as prescribed in NCGS 143-129; and shall prequalify and accept bids from first tier sub-contractors for all construction work under this section. The CMR shall use the prequalification process determined by the County in accordance with NCGS 143-135.8, provided that the County and the CMR shall jointly develop the assessment tool and criteria for the specific project, which include the prequalification scoring and minimum required score for prequalification on the project (refer to Henderson County Pre-Qualification Policy). The County shall require the CMR to submit its plan for compliance with NCGS 143-128.2 for approval by the County prior to soliciting bids for the project's first-tier subcontractors. The CMR and first tier contractors shall make a good faith effort to comply with NCGS 143-128.2, NCGS 143-128.4, and to recruit small business entities. The CMR shall act as Henderson County's fiduciary in handling and opening the bids.

Payment and Performance Bonds

The CMR shall provide Performance and Payment Bond issued and guaranteed by a North Carolina-licensed insurer in the amount of 100% of an event's estimated contract cost and the bond shall continue throughout the contract execution period, from when the County issues a Notice to Proceed and Purchase



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or Contract Order, until such time as the scope of work contained in the contract is completed as determined by the County.

Bonds shall remain in effect until final acceptance of the project by the County or when final payment becomes due for a County Purchase Order initiated project or until the County determines the bond may be reduced or is no longer required. The Performance Bond and the Payment Bond shall be executed by one or more surety companies legally authorized to do business in the State of North Carolina and shall become effective upon the execution of the Purchase Order.

The surety bonds must be in the form as provided by Surety Association of America, the American Institute of Architects (AIA-A312), Associated General Contractors of America, Engineers Joint Contract Documents Committee, American Consulting Engineers Council, American Society of Civil Engineers, and the Construction Specification Institute without any variations in the standard forms, or in any other forms authorized by North Carolina General Statute.

Licensure

The CMR shall be a Licensed General Contractor in the State of North Carolina.

Compliance with Legal Requirements

This Procurement will be in accordance with N.C.G.S. 143-128.1 and all applicable state and local laws, and Owner policies and procedures.

Minority and Disadvantaged Businesses:

Pursuant to General Statutes of North Carolina Sections 143-128 and 143-131, the County encourages and provides equal opportunity for Certified Minority and Women- Owned Business Enterprise (MWBE) businesses to participate in all aspects of the County's contracting and procurement programs.

For Disadvantaged Business Enterprise requirements, see Minority Business Participation Guidelines posted under Doing Business with Henderson County at

<https://www.hendersoncountync.gov/county/page/doing-business-henderson-county>.

Terms and Conditions:

Any proposal submitted to Henderson County shall be deemed to include all the Terms and Conditions shown in the document found online at

https://www.hendersoncountync.gov/sites/default/files/fileattachments/henderson_county/page/42611/terms_and_conditions_02.23.2022.pdf

These Terms and Conditions, which refer to a "purchase order", shall be deemed to be included in any contract entered into as a result of this Request for Qualifications ("RFQ").

Any attempt by a proposed contracting party (the "Bidder") under the RFQ to exclude any of these Terms and Conditions shall cause any Proposal made in response to this RFQ to be deemed to be non-responsive (unless Henderson County has notified the Bidder that the funding source for the goods or work sought under this RFQ is not federal funds, in which case those provisions under number 15 of the Terms and Conditions (and all subparts thereunder) may be excluded from a Proposal.