

**RESOLUTION #18-29:**

**A RESOLUTION TO EXEMPT PROCUREMENT OF PROFESSIONAL ENGINEERING AND ARCHITECTURAL SERVICES FROM THE MODEL CODE FOR PROCUREMENT FOR ARCHITECTURAL, ENGINEERING, AND SURVEYING SERVICES. (NCGS 143-64.31 & 32)**

**WHEREAS**, North Carolina General Statute 143-64.31 provides that “It is the public policy of this State and all public subdivisions and Local Governmental Units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural and engineering services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this state, and thereafter to negotiate a contract for architectural or engineering services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, negotiations with that firm shall be terminated and initiated with the next best qualified firm.”; and

**WHEREAS**, North Carolina General Statute 143-64.32 provides that “Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of NCGS 143-64.31 in the case of:

- (a) Proposed project where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000), or
- (b) Other particular projects exempt in the sole discretion of the Department of Transportation or the unit of local government, stating the reasons therefore and the circumstances attendant thereto.”, and

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of Pinehurst, North Carolina, in session assembled this 6<sup>th</sup> day of November, 2018 as follows:

**SECTION 1.** That Professional Architectural and Engineering Services associated with the acquisition and/or provision of services related to on-call technical review of site plans for compliance with State and Village engineering standards on an as-needed basis, the provision of the same on behalf of, or to, the Village of Pinehurst, including due diligence, preliminary review, and other related technical and review services, are hereby exempted from the hereinabove-cited statute. The reasons therefore and circumstances attendant thereto are that this action has been determined by the Village Council to be in the best interest of the Village of Pinehurst and its citizens.

**SECTION 2.** That this resolution shall be and the same is hereby effective from and after the date of its adoption.

**THIS RESOLUTION** passed and adopted this 6th day of November, 2018.

VILLAGE OF PINEHURST  
VILLAGE COUNCIL



By: Nancy Fiorillo  
Nancy Fiorillo, Mayor

Attest:

Beth Dunn  
Beth Dunn, Village Clerk

Michael J. Newman  
Approved as to Form:  
Michael J. Newman, Village Attorney