

BOARD OF COMMISSIONERS

L. KEVIN ENSLEY, CHAIR
BRANDON C. ROGERS, VICE CHAIR
TOMMY LONG
JENNIFER M. BEST
TERRY RAMEY
J.W. "KIRK" KIRKPATRICK, III



COUNTY MANAGER BRYANT MOREHEAD
COUNTY ATTORNEY FRANK QUEEN

**HAYWOOD COUNTY BOARD OF COMMISSIONERS
REGULAR AGENDA FOR
MONDAY, DECEMBER 5, 2022 – 9:00 AM
HISTORIC COURTHOUSE AT 215 N. MAIN STREET, WAYNESVILLE, NC**

Citizens are encouraged to view the Board of Commissioners meetings online. Regular meetings are streamed live on the county website at www.haywoodcountync.gov, Agendas, Minutes, Videos. Public comments may be made by using the eComment feature at www.haywoodcountync.gov, Agendas, Minutes, Videos or by email to the Clerk to the Board at amy.stevens@haywoodcountync.gov no later than 5:00 p.m. on the Sunday before each regularly scheduled Monday Board meeting.

- I. Call to Order - County Manager Bryant Morehead
- II. Pledge of Allegiance - County Manager Bryant Morehead
Invocation - BOCC Pastor Josh Frazier
- III. Organizational Session
 1. [Sheriff's Oath of Office William "Bill" Wilke - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 2. [Deputy Sheriff's Oaths of Office - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 3. [Register of Deeds' Oath of Office for Sherri Rogers - The Honorable C. J. Hunter Plemmons, Clerk of Superior Court - Haywood County, North Carolina](#)
 4. [Tax Collector's Oath of Office for Sebastian Cothran - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 5. [Commissioner's Oath of Office for Tommy Long - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 6. [Commissioner's Oath of Office for Jennifer M. Best - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 7. [Commissioner's Oath of Office for Terry Ramey - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina](#)
 8. [Election of Commissioner's Chairman - County Manager Bryant Morehead](#)

9. [Election of Commissioner's Vice Chairman - Chairman of the Board of County Commissioners](#)
10. [Establish 2023 Holiday and Meeting Schedule - Chairman of the Board of County Commissioners](#)
11. [List of Boards on which Commission Members Serve and Consider Assignments - Chairman of the Board of County Commissioners](#)

IV. Public Hearing

1. [Public Hearing on Southwestern NC HOME Consortium Annual Action Plan - Southwestern Commission Executive Director Russ Harris](#)

V. Public Comment Session

Citizens must sign up for public comment prior to ten (10) minutes of start time and each speaker is limited to three (3) minutes. Audience members may not address the Board at any time during deliberations unless recognized by the Chairman.

VI. Constituent Concerns

VII. Administrative/Agency Reports/Presentations

VIII. Discussion/Adjustment to Agenda

IX. Consent Agenda

1. [Request approval of November 21, 2022 regular meeting minutes](#)
2. [Request approval of Settlement of Taxes collected July 2022 through November 2022 and financial audit report of same](#)

X. Regular Agenda

1. [Request approval of Contractor Prequalification Resolution and Form for Detention Center expansion project per Haywood County Prequalification Policy for Construction and Repair Projects - Assistant County Manager Kris Boyd](#)

XI. Appointments

1. [Request approval of reappointment of Robert Smart to a second three-year term on the Clyde Board of Zoning Adjustment](#)

XII. Closed Session

XIII. Adjournment

*****A RECEPTION IN HONOR OF NEW AND RE-ELECTED OFFICIALS WILL BE HELD IMMEDIATELY
AFTER THE MEETING*****



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Sheriff's Oath of Office William "Bill" Wilke - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Tracy Wells

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Deputy Sheriff's Oaths of Office - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Tracy Wells

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Register of Deeds' Oath of Office for Sherri Rogers - The Honorable C. J. Hunter Plemmons, Clerk of Superior Court - Haywood County, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Tracy Wells

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Tax Collector's Oath of Office for Sebastian Cothran - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Tracy Wells

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Commissioner's Oath of Office for Tommy Long - The Honorable Donna Forga, District Court Judge,
30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Commissioner's Oath of Office for Jennifer M. Best - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Commissioner's Oath of Office for Terry Ramey - The Honorable Donna Forga, District Court Judge, 30th Judicial District, North Carolina

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Election of Commissioner's Chairman - County Manager Bryant Morehead

Board Action Request:

Requested Action Department:

Board of Commissioners

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Election of Commissioner's Vice Chairman - Chairman of the Board of County Commissioners

Board Action Request:

Requested Action Department:

Board of Commissioners

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Establish 2023 Holiday and Meeting Schedule - Chairman of the Board of County Commissioners

Board Action Request:

Requested Action Department:

Board of Commissioners

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:

[meeting and holiday calendar 2023.pdf](#)

Calendar Year 2023

Meeting Date & Time	Holidays
★ 1/03/23 9:00 AM	New Year's, Monday, 1/2
★ 1/17/23 5:30 PM	Martin Luther King, Jr. Day, Monday, 1/16
2/06/23 9:00 AM	
2/20/23 5:30 PM	
3/6/23 9:00 AM	
3/20/23 5:30 PM	
4/03/23 9:00 AM	Good Friday, 4/07
4/17/23 5:30 PM	
5/01/23 9:00 AM	
5/15/23 5:30 PM	Memorial Day, Monday, 5/29
6/05/23 9:00 AM	
6/19/23 5:30 PM	
7/17/23 5:30 PM	Independence Day, Monday, 7/4
8/07/23 9:00 AM	
8/21/23 5:30 PM	
★ 9/05/23 9:00 AM	Labor Day, Monday, 9/4
9/18/23 5:30 PM	
10/02/23 9:00 AM	
10/16/23 5:30 PM	
11/06/23 9:00 AM	Veterans Day, Friday, 11/10
11/20/23 5:30 PM	Thanksgiving, Thursday & Friday, 11/23 & 24
12/04/23 9:00 AM	Christmas, Monday, Tuesday & Wednesday 12/25, 26 & 27
12/18/23 5:30 PM	

★ Monday Holiday / Meeting will be on Tuesday

Regular meetings for the Board of Commissioners will be held on the first Monday of the month at 9:00 a.m. and the third Monday of the month at 5:30 p.m. unless otherwise noted



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

List of Boards on which Commission Members Serve and Consider Assignments - Chairman of the Board of County Commissioners

Board Action Request:

Requested Action Department:

Administration

Presenter:

Tracy Wells

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:

[Proposed board assignments 2023.pdf](#)

Board, Commission or Committee	Meeting Frequency	Commissioner(s) serving
Commission for a Clean County	As necessary	Commissioner Ramey
Downtown Waynesville Association	4th Tuesday - May, Sept. time TBD	Commissioner Ensley
Engineering Review Board	As necessary	Commissioner Ramey
Fairgrounds Board	1st Monday monthly at 5:00 p.m.	Commissioner Ramey
French Broad River Metropolitan Planning Organization (MPO) Transportation Advisory Committee	4th Tuesday at 12:30 p.m, no meeting in July, Dec.	Commissioner Ensley
French Broad River Rural Planning Organization (RPO) Transportation Advisory Committee	3rd Wednesday at 1:30 p.m, no meeting in July, Dec.	Commissioner Ensley
*Haywood Advancement Foundation	As necessary	Commissioner Ensley
Haywood Chamber & Economic Development Council	EDC - 3rd Th even months at 3:30; Chamber - 4th Wed of even months at 3:30.	Commissioner Best
*Haywood Community College (HCC) Strategic Planning Committee	As necessary	Commissioner Ensley
Haywood Healthcare Foundation	4th Thursday	Commissioner Long
Haywood County Health & Human Svcs. Agency Bd	3rd Tuesday - 5:30 p.m.no July, Dec.	Commissioner Rogers
Juvenile Crime Prevention Council	1st Wednesday - Noon	Commissioner Long
Local Emergency Planning Committee	Quarterly - 3rd Thursday - noon	Commissioner Rogers
Library Board of Trustees	3rd Wednesday at 4:30 p.m.	Commissioner Best
Mountain Projects, Inc. (MPI) Board of Directors	2nd Fri. - bi-monthly 8:30 a.m.	Commissioner Rogers
Recreation Advisory Board	2nd Thursday of Feb, April, June, August, Oct. Dec , 5:30 pm	Commissioner Rogers
Sediment Control Commission	As necessary	Commissioner Best
Southwestern Commission	4th Mon - bi-monthly - 7:00 p.m.	Commissioner Best
Solid Waste Advisory Committee	As necessary	Commissioners Rogers, Long
Tourism Development Authority	4th Wednesday - most months 2:00pm	Commissioner Best
VAYA County Commissioner Advisory Board	January 9, 2023 2:00 p.m. until 4:00 p.m.-Sylva // March 27, 2023 10:00 a.m. until 12:00 p.m. (with lunch) – Sylva // June 26, 2023 10:00 to 12:00 p.m. (with lunch) – Sylva // October 30, 2023 10:00 a.m. until 12:00 p.m. (with lunch) – Sylva, NC	Commissioner Ramey
Watershed Review Board	As necessary	Commissioner Long

* Chairman must serve

Long - 4

Best - 5

Ensley - 5

Ramey - 4

Rogers - 5



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Public Hearing on Southwestern NC HOME Consortium Annual Action Plan - Southwestern
Commission Executive Director Russ Harris

Board Action Request:

Requested Action Department:

Economic Development

Presenter:

David Francis

Background/Justification:

SW HOME Consortium is the seven western counties and the municipalities therein.

Home Investment Partnerships Program (HOME) is a federal grant program through Housing and Urban Development (HUD) providing grant funds on a reimbursable basis to provide decent affordable housing to low-income households, expand the capacity of non-profit housing providers, strengthen the ability of state and local governments to provide housing, and leverage private-sector participation.

Per HUD requirements, the Lead Agency is required to hold a public hearing each year to receive feedback on the Annual Action Plan.

Budgetary Impact:

The Consortium receives around \$542,000 for the region and a \$207,000 grant from Dogwood Health Trust . This past summer the Consortium completed the first round of funding and was approved by the Haywood BOCC on the 6th of September 2022. Six projects were funded including two from Haywood County.

No County funds were committed.

Policy Impact:

The County agreed to be the Lead Agency in 2020 and works closely with SW Commission.

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Request approval of November 21, 2022 regular meeting minutes

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

Budgetary Impact:

Policy Impact:

Attachments:

[DRAFT MINUTES FOR APPROVAL.pdf](#)

DRAFT MINUTES FOR APPROVAL



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Request approval of Settlement of Taxes collected July 2022 through November 2022 and financial audit report of same

Board Action Request:

Requested Action Department:

Tax Collections

Presenter:

Tracy Wells

Background/Justification:

Documents will be available at meeting--processes will not be complete by agenda deadline.

Budgetary Impact:

Policy Impact:

Attachments:



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Request approval of Contractor Prequalification Resolution and Form for Detention Center expansion project per Haywood County Prequalification Policy for Construction and Repair Projects - Assistant County Manager Kris Boyd

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

The County will be undertaking a major construction project with the Detention Center expansion. The Haywood County Prequalification Policy, allowed under NCGS 143-135.8 and adopted on September 3, 2019, establishes a process of evaluating and determining whether potential bidders have the skill, judgement, integrity, sufficient financial resources and ability necessary to faithfully perform a contract for construction or repair prior to advertisement of the contract. For large capital projects, prequalification is beneficial in vetting the experience and solvency of potential bidders to evaluate and determine whether potential bidders have the skill, judgement, integrity, sufficient financial resources and ability necessary to the faithful performance of a contract for construction or repair work.

The existence of the Prequalification Policy does not require the County to prequalify all projects, but instead allows selective application of the Prequalification Policy to individual large-scale capital projects through passage of a resolution and form specific to that project.

The related policy and statute have been attached for reference.

Budgetary Impact:

Policy Impact:

Attachments:

[Resolution to Prequalify Bidders for Detention Center Expansion 12-5-22.pdf](#)

[Detention Center Contractor Prequalification Form - 11-28-22.pdf](#)

[Haywood Co General Prequalification Policy and Statute.pdf](#)

BOARD OF COMMISSIONERS

**L. KEVIN ENSLEY
BRANDON C. ROGERS
TOMMY LONG
JENNIFER BEST
TERRY RAMEY**



**COUNTY MANAGER
BRYANT MOREHEAD**

**COUNTY ATTORNEY
FRANK G. QUEEN**

**RESOLUTION ADOPTING PREQUALIFICATION OF
BIDDERS FOR DETENTION CENTER (JAIL) EXPANSION**

WHEREAS, pursuant to NCGS 143-135.8, the Board adopted an objective prequalification policy on September 3rd, 2019 applicable to all construction or repair work prior to the advertisement of the contract; and

WHEREAS, for large capital projects, especially those like the detention center expansion with complex construction, prequalification is beneficial in vetting the experience and solvency of potential bidders.

WHEREAS, the prequalification process is used to evaluate and determine whether potential bidders have the skill, judgement, integrity, sufficient financial resources, and ability necessary to the faithful performance of a contract for construction or repair work.

WHEREAS, the County will not be required to prequalify all projects simply because there is a prequalification policy in place.

NOW, THEREFORE, BE IT RESOLVED that Haywood County Board of County Commissioners do hereby adopt a resolution for prequalification of bidders for construction of the Detention Center (jail) Expansion project.

Adopted this 5th day of December, 2022.

, Chairman
Haywood County Board of Commissioners

Amy L. Stevens
Clerk to the Board of Commissioners

Haywood County

Contractor Prequalification Form

Pursuant to the statute, this form gathers information about the contractors seeking to qualify for the work and provides a general format for the prequalification criteria. **Completing this questionnaire does not guarantee prequalification.** Evaluation of the submittal shall be performed by the prequalification committee in accordance with GS 143-128.1, 143-135.8 and the Haywood County Prequalification Policy (attached).

This form must be utilized in order to be considered responsive and reviewed by the Prequalification Committee.

PREQUALIFICATION INFORMATION:

The prequalification committee shall consist of:

Haywood County Chairman, Board of Commissioners
Haywood County Manager
Haywood County Assistant Manager
Haywood County Finance Director
Haywood County Facility Services Director
Haywood County Sheriff

Based on the scoring matrix information provided under each section, all scores totaling 80 points or higher shall be considered prequalified.

Per the Haywood County Prequalification Policy attached to this form, a firm which is denied prequalification may file a written protest to the County Manager within three (3) business days of receiving the denial notice. Protests may be sent via email to bryant.morehead@haywoodcountync.gov or mailed to the address listed below:

Bryant Morehead, County Manager
Haywood County Historic Courthouse
Third Floor
215 North Main Street
Waynesville, North Carolina 28786

PREQUALIFICATION DUE DATE/TIME: _____
(date) (time)

Submitted to: Kris R. Boyd, Haywood County Assistant Manager

Haywood County
Agency/Institution

215 North Main Street

Waynesville, North Carolina 28786
City/State Zip Code

828-452-6651
Phone

Haywood County

Contractor Prequalification Form

Project: Haywood County Detention Center Expansion

Name of Project

Haywood County

Project Owner

1620Brown Avenue, Waynesville, NC 28786

Project Location/Address

Moseley Architects

Project Architect

McGill Associates

Project Engineer

March 2023

Project Start Date (Approx.)

36 Months

Project Duration

January 2023

Anticipated Bid Date

Project Description:

- The construction of approximately 33,000 square feet jail expansion;
- 145 additional beds;
- Site work and preparation as necessary;
- The installation of erosion control measures and stormwater conveyance features;
- The construction of a paved access road and parking;
- Security Fencing;
- All work in accordance with the contract documents and associated Construction Quality Assurance Plan.

SECTION 1. GENERAL COMPANY INFORMATION

1. a. Primary/Main office location

Company Name

Physical Address

Mailing Address

City/State Zip Code + 4

() _____

Phone number

() _____

Fax number

Primary Contact Name

Secondary Contact Name

Primary Contact Email Address

Secondary Contact Email Address

November 2022

Haywood County
Contractor Prequalification Form

[Matrix: 0-1 point. If completely filled in give 1 point. If not, give 0 points.]

1. b. Local office location responsible for this project

Company Name

Physical Address

Mailing Address

City/State Zip Code + 4

()

Phone number

()

Fax number

Primary Contact Name

Secondary Contact Name

Primary Contact Email Address

Secondary Contact Email Address

[Matrix: 0-1 points. If completely filled in give 1 point. If not, give 0 points.]

1. c. Biographical Summaries

Attach names, titles, and brief biographical summaries of all corporate officers, including specific service with the applicant? Have you attached the biographical summaries ☐ Yes ☐ No

[Matrix: 0-2 points. If completely filled in give 2 points. If not, give 0 points.]

1. d. Consistent Operation

Has your firm consistently operated under the company name used herein for at least the last five (5) years, and that all documented experience provided for this prequalification was achieved by personnel working directly for the applicant under the current company name? ☐ Yes ☐ No

[Matrix: 0-5 points. If yes, give 5 points. If no, give 0 points.]

1. e. Licensing Information (Please provide all North Carolina professional licenses required for you to perform your services.)

<u>NC License number/name of licensee</u>	<u>License Limit/Level</u>	<u>State/County/City Privilege License (provide copy)</u>
---	----------------------------	---

Has any license ever been denied or revoked? ☐ Yes ☐ No If yes, please describe, _____

[Matrix: 0-2 points. If completely filled in give 2 points. If not, give 0 points. If license has been revoked, give 0-2 points based on explanation provided]

Haywood County
Contractor Prequalification Form

Bonding

1. f.(1) Attach letter, dated within the last 30 days, from your surety company, signed by their Attorney in Fact, verifying their willingness to issue payment and performance bonds for the estimated amount of \$25,000,000 for this project, on behalf of your firm. Surety company bond rating shall be rated "A" or better under the A.M. Best Rating system or The Federal Treasury List.

Have you attached a surety letter? ☐ Yes ☐ No

[Matrix: 0-4 points. If surety letter attached and surety company bond rate is A or better, give 4 points. If surety company bond rate is B, give 2 points. If surety bond company bond rate is less than B, give 0 points]

1.f.(2) Have any Funds been expended by a Surety Company on your firm's behalf? ☐ Yes ☐ No If yes, explain

[Matrix: 0-4 points. If no funds expended by surety company give 2 points. If not, give 0 points.]

Equipment

1. g. Attach an equipment list (including make, model, and year) that will be utilized by the applicant for this project. Specify if equipment is owned or leased.

Have you attached the equipment list? ☐ Yes ☐ No

[Matrix: 0-4 points. If yes, give 4 points. If not, give 0 points.]

Insurance

1.h. Firms must indicate that they can provide evidence of insurance coverage, should they be the successful bidder by attaching a copy of their insurance certificate. Have you attached a copy of your insurance certificate? ☐ Yes ☐ No

[Matrix: 0-3 points. If insurance certificate attached, give 3 points. If not, give 0 points.]

Self-Performed Work

1. i. The Contract Documents for this project will require that the employees of the applicant must complete 50% of the work on this project? Will the applicant self-perform 50% or more of the work ☐ Yes ☐ No

[Matrix: 0-3 points. If yes, give 3 points. If not, give 0 points.]

SECTION 2. GENERAL REQUIREMENTS

Experience - Size/Capacity/Workload

2. a. (1) How many projects do you currently have under contract or in progress and what is their total dollar value?

- _____ (# of projects) ;
- \$ _____ (Current projects contract amount);

Haywood County Contractor Prequalification Form

- \$ _____ (Projects current amount remaining to bill)

[Matrix: 0-2 points. If section completed give 2 points. If not, give 0 points.]

2. a. (2) List the three largest contracts currently under contract or in progress, including for each, the name of the project, owner, architect and/or GC/CMR and contact information below.

#1 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name/Representative	
Engineer Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

#2 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name/Representative	
Engineer Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	
#3 –Project Name	
Description of Work Performed	
Contract Delivery Method (CM/GC)?	

Haywood County Contractor Prequalification Form

Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name/Representative	
Engineer Address/Phone #/Email	
GC or CM Name/Representative	
GC or CM Address/Phone #/Email	
Contract Dollar Value	
Percentage Complete	
Current Anticipated Completion Date	

[Matrix: 0-6 points. For each project above, if information is complete, give 2 points. If information is incomplete, give 0 points.]

Litigation/Claims

2. b. (1) Has your company ever been involved in any judgments, claims, arbitration or mediation proceedings, or suits, whether resolved or still pending resolution? ☐ Yes ☐ No If yes, state the project name(s), year(s), case number and reason why: _____

[Matrix: 0-2 points. If company has not been involved in any of the above give 2 points. If they have, give 0 to 2 points based on explanation provided.]

2. b. (2) Has your company been involved in a dispute with a project Owner involving claims for liquidated damages or compensation in excess of the bid amount, excluding change orders within the last five years? ☐ Yes ☐ No If yes, state the project name(s), year(s), case number and reason why: _____

[Matrix: 0-2 points. If there are no current judgments, claims, arbitration, suits or mediation pending give 2 points. If there is, give 0 points.]

2. b. (3) Has your company ever failed to complete work awarded to it? ☐ Yes ☐ No If yes, please provide project name(s), year(s), and reason why: _____

[Matrix: 0-5 points. If company has never failed to complete work it has been awarded then given 5 points. If they have failed to complete work then, give 0 points.]

2.b. (4) Has your present company, its officers, owners, or agents ever been convicted of charges relating to conflicts of interest, bribery, or bid-rigging? ☐ Yes ☐ No

[Matrix: 0-3 points. If "Yes" give 0 points. If "No", give 3 points]

Haywood County
Contractor Prequalification Form

2.b. (5) Has your present company, its officers, owners, or agents ever been barred from bidding public work in North Carolina? ☐ Yes ☐ No

[Matrix: 0-3 points. If "Yes" give 0 points. If "No", give 3 points]

SECTION 3. PROJECT SPECIFICS

3.a. The assigned project superintendent for this project shall be: _____.
Include a resume. Have you included a resume? ☐ Yes ☐ No

[Matrix: 0-2 points. If resume included, give 2 points. If not, give 0 points.]

3.b. The experience this superintendent has on this specific type of project is: ____ years experience. ____ years of experience with Detention (jail) construction. _____ years in North Carolina

[Matrix: 0-6 points. If 2 years or greater give 2 pts. If 2 jail projects or greater give 2 pts. If 25,000 square feet or greater give 2 pts.]

3.c. The assigned project manager for this project shall be _____.
Include a resume. Have you included a resume? ☐ Yes ☐ No

[Matrix: 0-2 points. If resume included, give 2 points. If not, give 0 points.]

3.d. The experience this project manager has on this specific type of project is: ____ years experience. ____ years of experience with Detention (jail) construction. _____ years in North Carolina

[Matrix: 0-6 points. If 2 years or greater give 2 pts. If 2 projects or greater give 2 pts. If 25,000 square feet or greater give 2 pts.]

Similar Projects

3.e. The applicant must provide information on previous projects in order to verify that at least two (2) North Carolina specific jail construction/expansion projects of at least 25,000 square feet have been completed under the applicant's current company name. Three (3) tables have been provided to include this information. If additional projects are needed to demonstrate that the above requirement has been met, please attach the information in the format listed below for the additional projects:

#1 –Similar - Project Name	
Description of Work Performed (include sizes, quantities, structures, performance specification requirements, i.e. permeability, and equipment utilized)	
Square Footage/number of inmate beds	
Percentage of self-performed work	

Haywood County
Contractor Prequalification Form

Original Bid Amount	
Final Contract Amount (attach explanation for discrepancy)	
Contract Duration	
Actual Construction Duration	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name/Representative	
Engineer Address/Phone #/Email	
#2 –Similar - Project Name	
Description of Work Performed (include sizes, quantities, structures, performance specification requirements, i.e. permeability, and equipment utilized)	
Square Footage of jail/number of beds	
Percentage of self-performed work	
Original Bid Amount	
Final Contract Amount (attach explanation for discrepancy)	
Contract Duration	
Actual Construction Duration	
Contract Delivery Method (CM/GC)?	
Owner Name/ Representative	
Owner Address/Phone #/Email	
Engineer Name/Representative	
Engineer Address/Phone #/Email	

[Matrix: 0-30 points based on requirements of at least two (2) North Carolina specific jail construction/expansion projects of at least 25,000 square feet have been completed under the applicant's current company name. If the requirements are met and all information has been provided, give 15 points for each project. If projects listed above are not a North Carolina specific jail project, or incomplete information has been provided, give 0 points. In order for 30 points to be granted, the similar projects provided in this section must have been completed under the current company name, or contractor must show their expertise, direct involvement and knowledge of the listed projects. A

Haywood County

Contractor Prequalification Form

maximum of 5 points will be granted for projects completed by company personnel in a project management role under the operation of a previous employer.

SECTION 4. MISCELLANEOUS

Contractor Prequalification Evaluation Process

Haywood County shall establish a Prequalification Review Committee to review all of the prequalification applications. The Prequalification Review Committee shall consist of: Haywood County Chairman, Board of Commissioners, Haywood County Manager, Haywood County Assistant Manager, Haywood County Finance Director, Haywood County Facility Services Director, Haywood County Sheriff. The committee will evaluate each application and the accompanying scoring matrix using the criteria established in the Project Specific Contractor Prequalification Form to determine whether the applicant is prequalified to bid on the project, based on the information contained in the application. All firms that submitted prequalification applications will be notified, in writing, of the committee's decision.

Protest Procedure

Any firm(s) that is denied prequalification to bid may protest the decision as outlined below:

1. A firm which is denied prequalification may protest the committee's decision by filing a written protest to the County Manager, unless otherwise designated, within three (3) business days of receiving the notice that the firm has been denied prequalification. Specific notification details will be included in the project specific Contractor Prequalification Form.
2. The protest shall clearly state all of the reasons why the firm is contesting the denial and include all documents supporting the firm's position.
3. The Prequalification Review Committee will review the written protest and notify the firm within five (5) business days of their decision.
4. All protest review decisions by the Prequalification Review Committee are final.
5. Such protest process shall be completed prior to opening bids under the provisions of N.C. Gen. Stat. § 143-129 (b) and shall allow sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified.
6. A firm's failure to comply with any requirements of the protest procedures of this section shall result in the firm's protest being terminated and rendered moot.

Notice of Decision

All firms that submitted applications for prequalification shall be promptly notified in writing and/or via email of the Prequalification Review Committee's decision. Notice shall be provided prior to the Bid Advertisement for the project and with sufficient time for the firm to protest the denial of the application. Such notice is available upon request as well.

SECTION 5. SIGNATURE

By signing this document, you are acknowledging that all answers are true to the best of your knowledge. **Any answers found to be falsified will bar you from being prequalified on this project.**

Company Name (as licensed in NC)

Haywood County
Contractor Prequalification Form

Physical Address _____

Mailing Address _____

a. Dated this day of: _____

Submitted by: _____

Signature By Authorized Officer

Print Title of Authorized Officer

Phone: _____

Contact person's phone number

E-mail: _____

Contact person's E-mail address

b. Notary Certification:

_____ (State)

_____ (County)

I, a Notary Public of the County and State aforesaid, certify that _____, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official seal, this the _____ day of _____, 20____.

(Official Notary Seal or Stamp)

Signature of Notary Public

My commission expires _____, 20 ____

[Matrix: 0-2 points. If signature section fully executed with notary give 2 points. If not, 0 points.]

Haywood County Contractor Prequalification Form

Haywood County - Contractor Prequalification Ratings Matrix

Date: _____
Project _____
Name: _____

				1	2	3	4	5	6	7	8
				Contractor Name	Contractor Name	Contractor Name	Contractor Name	Contractor Name	Contractor Name	Contractor Name	Contractor Name
Form #	Description	Max Pts		Pts	Pts	Pts	Pts	Pts	Pts	Pts	Pts
1. GENERAL COMPANY INFORMATION											
1.a.	Primary/Main Office Location	2									
1.b.	Local Office Location	2									
1.c.	Biographical Summaries	2									
1.d.	Consistent Operation	10									
1.e.	Licensing Information	2									
1.f.	Bonding - Surety letter attached	5									
1.g.	Equipment List Attached	5									
1.h.	Self Performed Work	3									
	Subtotal	31		0	0	0	0	0	0	0	0
2. GENERAL REQUIREMENTS											
2.a.(1)	Experience - Number of current projects under contract	3									
2.a.(2)	Experience - Selected Contract 1	3									
2.a.(2)	Experience - Selected Contract 2	3									
2.a.(2)	Experience - Selected Contract 3	3									
2.b.(1)	Litigation/Claims	2									
2.b.(2)	Liquidated Damages/Compensation Claims - Last 5 years	2									
2.b.(3)	Failed to complete construction contract	5									
	Subtotal	21		0	0	0	0	0	0	0	0
3. PROJECT SPECIFIC REQUIREMENTS											
3.a.	Project Superintendent included resume	2									
3.b.	Project Superintendent Experience	6									
3.c.	Project Manager included resume	2									
3.d.	Project Manager Experience	6									
3.e.	Similar Projects	30									
	Subtotal	46		0	0	0	0	0	0	0	0
4. SIGNATURE											
4	Fully executed including notary	2									
	Subtotal	2		0	0	0	0	0	0	0	0
	TOTAL POINTS	100		0	0	0	0	0	0	0	0

All scores 80 and above will be prequalified.

Prequalification Policy Haywood County, North Carolina

In accordance with North Carolina General Statute 143-135.8, Haywood County has established this Prequalification Policy which shall be used for construction projects and repair projects for which Haywood County intends to prequalify bidders. The Contractor Prequalification Policy establishes a process of evaluating and determining whether potential bidders have the skill, judgment, integrity, sufficient financial resources, and ability necessary to faithfully perform a contract for construction or repair. This Prequalification Policy pertains only to projects for which Haywood County intends to prequalify bidders. The policy is intended to be general in nature and therefore, any prequalification process initiated by Haywood County will require the preparation of a separate project specific Contractor Prequalification Form (also known as an assessment tool which outlines criteria for that specific project). This Prequalification Policy and the use of the Contractor Prequalification Form shall be applied objectively.

On projects requiring prequalification, only bids from prequalified bidders will be accepted. Bids from non-prequalified firms will be deemed non-responsive and will not be opened.

Contractor Prequalification Form

For each construction or repair project in which the County intends to prequalify bidders, a project specific Contractor Prequalification Form will be adopted by the Haywood County Board of Commissioners for each project and will be available to all interested firms. The form shall include specific requirements for the project and shall meet all the following criteria:

1. Must be uniform, consistent, and transparent in its application to all bidders.
2. Must allow all bidders who meet the prequalification criteria to be prequalified to bid on the construction or repair work project.
3. Clearly state the prequalification criteria, which must comply with all of the following:
 - a. Be rationally related to the construction or repair work.
 - b. Not require that the bidder has previously been awarded a construction or repair project by Haywood County.
 - c. Permit bidders to submit history or experience with projects of similar size, scope, and complexity.
4. Clearly state the assessment process of the criteria to be used.
5. Provide a process for a denied bidder to protest the County's determination.
6. Outline a process for notifying a denied prequalified bidder.

Contractor Prequalification Evaluation Process

Haywood County shall establish a Prequalification Review Committee to review all the prequalification applications. The Prequalification Review Committee shall consist of the Chairman of the Board Commissioners, Haywood County Manager, Haywood County Finance Department Director, Haywood County Development Services Director and other member(s) as designated by the County Manager. The committee will evaluate each application and the accompanying scoring matrix using the criteria established in the Project Specific Contractor Prequalification Form to determine whether the applicant is prequalified to bid on the project,

based on the information contained in the application.

Protest Procedure

Any firm(s) that is denied prequalification to bid may protest the decision as outlined below:

1. A firm which is denied prequalification may protest the committee's decision by filing a written protest to the County Manager, unless otherwise designated, within three (3) business days of receiving the notice that the firm has been denied prequalification. Specific notification details will be included in the project specific Contractor Prequalification Form.
2. The protest shall clearly state all the reasons why the firm is contesting the denial and include all documents supporting the firm's position.
3. The Prequalification Review Committee will review the written protest and notify the firm within five (5) business days of their decision.
4. All protest review decisions by the Prequalification Review Committee are final.
5. Such protest process shall be completed prior to opening bids under the provisions of N.C. Gen. Stat. § 143-129 (b) and shall allow sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified.
6. A firm's failure to comply with any requirements of the protest procedures of this section shall result in the firm's protest being terminated and rendered moot.

Notice of Decision

All firms that submitted applications for prequalification shall be promptly notified in writing and/or via email of the Prequalification Review Committee's decision. Notice shall be provided prior to the Bid Advertisement for the project and with sufficient time for the firm to protest the denial of the application. Such notice is available upon request as well.

§ 143-135.8. Prequalification.

(a) Except as provided in this section, bidders may not be prequalified for any construction or repair work project.

(b) A governmental entity may prequalify bidders for a particular construction or repair work project when all of the following apply:

- (1) The governmental entity is using one of the construction methods authorized in G.S. 143-128(a1)(1) through G.S. 143-128(a1)(3).
- (2) The board or governing body of the governmental entity adopts an objective prequalification policy applicable to all construction or repair work prior to the advertisement of the contract for which the governmental entity intends to prequalify bidders.
- (3) The governmental entity has adopted the assessment tool and criteria for that specific project, which must include the prequalification scoring values and minimum required score for prequalification on that project.

(c) The objective prequalification policy adopted by a governmental entity pursuant to subdivision (2) of subsection (b) of this section shall meet all of the following criteria:

- (1) Must be uniform, consistent, and transparent in its application to all bidders.
- (2) Must allow all bidders who meet the prequalification criteria to be prequalified to bid on the construction or repair work project.
- (3) Clearly state the prequalification criteria, which must comply with all of the following:
 - a. Be rationally related to construction or repair work.
 - b. Not require that the bidder has previously been awarded a construction or repair project by the governmental entity.
 - c. Permit bidders to submit history or experience with projects of similar size, scope, or complexity.
- (4) Clearly state the assessment process of the criteria to be used.
- (5) Establish a process for a denied bidder to protest to the governmental entity denial of prequalification, which process shall be completed prior to the opening of bids under G.S. 143-129(b) and which allows sufficient time for a bidder subsequently prequalified pursuant to a protest to submit a bid on the contract for which the bidder is subsequently prequalified.
- (6) Outline a process by which the basis for denial of prequalification will be communicated in writing, upon request, to a bidder who is denied prequalification.

(d) If the governmental entity opts to prequalify bidders, bids submitted by any bidder not prequalified shall be deemed nonresponsive. This subsection shall not apply to bidders initially denied prequalification that are subsequently prequalified pursuant to a protest under the governmental entity's prequalification policy.

(e) Prequalification may not be used for the selection of any qualification-based services under Article 3D of this Chapter, G.S. 143-128.1A, G.S. 143-128.1B, G.S. 143-128.1C, or the selection of the construction manager at risk under G.S. 143-128.1.

(f) For purposes of this section, the following definitions shall apply:

- (1) Governmental entity. - As defined in G.S. 143-128.1B(a)(6).
- (2) Prequalification. - A process of evaluating and determining whether potential bidders have the skill, judgment, integrity, sufficient financial resources, and ability necessary to the faithful performance of a contract for construction or repair work. (1995, c. 367, s. 8; 2014-42, s. 1.)



HAYWOOD COUNTY BOARD OF COMMISSIONERS REGULAR AGENDA REQUEST

Item Title:

Request approval of reappointment of Robert Smart to a second three-year term on the Clyde Board of Zoning Adjustment

Board Action Request:

Requested Action Department:

Administration

Presenter:

Amy Stevens

Background/Justification:

The Clyde Mayor and Board of Aldermen have recommended Mr. Smart for a second three-year term on the Clyde Board of Zoning Adjustments, as he has served his first term in good standing. They now request that the Board of Commissioners approve the recommended reappointment.

Budgetary Impact:

Policy Impact:

Attachments:

[Clyde Zoning-Robert Smart.pdf](#)

From: [Joy Garland](#)
To: [Amy L. Stevens](#)
Subject: Recommendation
Date: Friday, November 11, 2022 8:45:48 AM

Amy,

The Town of Clyde Mayor and Board of Aldermen recommend Robert Smart for another 3 year term to the Clyde Board of Zoning Adjustments.

Thanks,

Joy



Pursuant to North Carolina General Statutes Chapter 132 (Public Records), all electronic correspondence to and from this address may be considered public record, and as such, subject to request and review by third parties at any time.