

STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO APPROVE UTILIZATION OF CONSTRUCTION MANAGER  
AT RISK PROJECT DELIVERY METHOD FOR PUBLIC WORKS  
CONSTRUCTION CONTRACTS INCLUDING, BUT NOT LIMITED TO, CITY  
CENTER**

**WHEREAS**, the City of Sandy Springs (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia and is charged with providing public services to its residents; and

**WHEREAS**, the City has determined that it is necessary to develop a City Center and infrastructure project (“City Center”); and

**WHEREAS**, following a year-long planning process which included multiple public open forum and stakeholder meetings inviting input, the Sandy Springs City Council (“City Council”) adopted its master plan for City Center (“Master Plan”) on December 18, 2012; and

**WHEREAS**, on February 5, 2013, City Council, by resolution in regular session (“Phase I Resolution”), approved the Phase I Implementation of City Center and authorized the City Manager and staff to proceed with the necessary steps to implement the Master Plan; and

**WHEREAS**, on September 2, 2014, by resolution in regular session, City Council approved a site development plan for City Center, approving a proposed budget, and authorizing the City Manager and staff to take such actions as necessary to implement and further the goals of the Master Plan; and

**WHEREAS**, the City Manager and staff now desire to move forward with the design phase and construction services for City Center and have researched alternative delivery methods; and

**WHEREAS**, O.C.G.A. § 36-91-20(c) authorizes governmental entities, including municipal corporations, to utilize any construction delivery method for public works construction contracts, including the Construction Manager at Risk (“CM at Risk”) delivery method, subject to the provisions therein for competitive procurements for public works construction contracts; and

**WHEREAS**, construction of City Center is a “public works construction” as defined in O.C.G.A. § 36-91-1, et seq.; and

**WHEREAS**, CM at Risk is a delivery method in which the CM at Risk firm participates in the design phase of a project by evaluating cost, schedule, implications of alternative designs, constructability reviews and value engineering; and

**WHEREAS**, during construction, the CM at Risk assumes the risk for price based on a guaranteed maximum price and schedule, and contracts directly with subcontractors as a single point of responsibility for delivery of the project; and

**WHEREAS**, the City Manager, staff and the City Center development team recommend utilization of CM at Risk as a construction delivery method advantageous to the City.

RESOLUTION NO. 2014-09-87

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sandy Springs, Georgia, while in regular session on September 16, 2014, at 6:00 p.m., as follows:

1. City Council hereby recognizes and authorizes use of the CM at Risk delivery method as a construction delivery method for the City in connection with public works construction projects; and
2. City Council hereby authorizes the City Manager and staff to develop appropriate policies and procedures to implement the CM at Risk delivery method in connection with public works construction projects; and
3. Subject to applicable City procurement policies, City Council hereby authorizes the City Manager to execute any documents and to take any other steps which may be necessary to effectuate the intent of this resolution; and
4. To the extent any portion of this resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this resolution; and
5. This resolution shall take effect immediately.

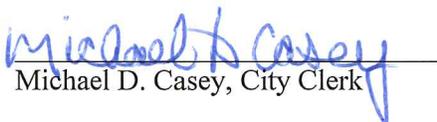
RESOLVED this the 16<sup>th</sup> day of September, 2014.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)

