

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0252

Sponsored by: **County Executive FitzGerald/Departments of Public Works and Public Safety and Justice Services**

A **Resolution** making an award on RQ31792 to Shook Construction Co. for design-build services for the Emergency Operations Center Project located in the City of Broadview Heights; authorizing the County Executive to negotiate, enter into, and execute an initial contract with Shook Construction Co. in the amount not-to-exceed \$2,148,732.00 for the period 11/12/2014 - 11/12/2016 and to execute all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, pursuant to Chapter 504 of the Cuyahoga County Code, the Department of Public Works issued a Request for Qualifications (RFQ31792) and received statements of qualifications from design builders for the Emergency Operations Center project to be located in the City of Broadview Heights, Ohio; and

WHEREAS, the County evaluated the qualifications and proposals of the design builders who responded to the RFQ and RFP and Shook Construction Co. received the highest rankings; and

WHEREAS, due to the complexity of the project and the scope involved, it is not possible to determine with a reasonable amount of certainty the maximum not-to-exceed value of the contract with Shook Construction Co. before completion of additional work on the project; and

WHEREAS, it is necessary to authorize Shook Construction Co. to proceed with the work necessary, including, but not limited to, providing for pre-construction and construction services including preparation of construction documents; abatement and demolition of the site; and

WHEREAS, Council has determined to award an initial contract to Shook Construction Co. for an amount not-to-exceed \$2,148,732.00; and

WHEREAS, the final definitive contract with Shook Construction Co. shall be subject to County Council's approval; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that the time-sensitive project can continue proceeding on schedule and that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RFQ31792 to Shook Construction Co. for design-build services for the Emergency Operations Center Project located in the City of Broadview Heights and authorizes the County Executive to negotiate, enter into, and execute an initial contract with Shook Construction Co. in the amount not-to-exceed \$2,148,732.00 for the period 11/12/2014 – 11/12/2016. To the extent that any exemptions, if any, are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution. The final negotiated terms of the contract, including the maximum not to exceed amount and risk management protections, shall be subject to the approval of the Law Director, but in no event shall the maximum amount exceed the herein authorized \$2,821,868.00.

**SECTION 2.** That the final definitive contract with Shook Construction Co. shall be subject to Council's approval.

**SECTION 3.** That the County Executive is hereby authorized to execute a contract and all other documents, as approved to legal form and correctness by the Director of Law or his designee, in accordance with this Resolution.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Jones, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

Yeas: Gallagher, Schron, Conwell, Jones, Hairston, Simon, Greenspan, Miller, Brady, Germana and Connally

Nays: None

  
County Council President

11-12-14  
Date

  
County Executive

11-13-14  
Date

  
Clerk of Council

11/12/2014  
Date

First Reading/Referred to Committee: October 28, 2014

Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC016

November 12, 2014