

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0064

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Chapter 504 of the Cuyahoga County Code, the Department of Public Works issued a Request for Proposals (RQ35765) for Design-Build Services for the Huntington Park Garage Rehabilitation Project and received proposals from design builders for the project; and

WHEREAS, the County evaluated the qualifications and proposals of the design builders who responded to the RFP and Turner/Ozanne Joint Venture (“Design-Builder”) received the highest rankings; and

WHEREAS, the Cuyahoga County Board of Control awarded RQ35765 to the Design-Builder on December 7, 2015 in an amount not-to-exceed \$500,000.00; and

WHEREAS, it is expected and contemplated all along that the amount not-to-exceed will be increased to include pre-construction and construction services, a GMP, and a final reconciliation; and

WHEREAS, in Resolution No. R2015-0274 Council determined to increase the award of the initial contract (CE1500375-01) to the Design Builder for an amount not-to-exceed \$4,500,000.00; and

WHEREAS, it was contemplated all along that the GMP contract with Design-Builder 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 authorizes an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00 and authorizes the County Executive to enter into said amendment. 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 Director of Law, but in no event shall the maximum amount exceed the herein authorized \$18,000,000.00.

SECTION 2. That the County Executive is 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 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 4. 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. Brady, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

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

Nays: None

Recusals: Brown

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: March 22, 2016

Committee(s) Assigned: Committee of the Whole

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April 12, 2016