

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0049

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 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, to extend the time period to 3/3/2018 and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00; 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.
---	---

WHEREAS, the County Executive/Department of Public Works recommended 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 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, to extend the time period to 3/3/2018 and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00; and

WHEREAS, the Cuyahoga County Board of Control made an initial award on RQ35765 to Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project on December 7, 2015 in the amount not-to-exceed \$500,000.00; and

WHEREAS, Resolution No. R2015-0274 was approved by Council on January 12, 2016 to increase the guaranteed maximum price in the amount not-to-exceed \$4,500,000.00; and

WHEREAS, Resolution No. R2016-0064 was approved by Council on April 12, 2016 to increase the guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; and

WHEREAS, Resolution No. R2016-0197 was approved by Council on November 15, 2016 to change the scope of services and the terms, effective November 16, 2016,

to extend the time period to December 31, 2017 and to establish a guaranteed maximum price in the amount not-to-exceed \$22,711,693.00; and

WHEREAS, the primary goal of this amendment is to change the scope of services and the terms, effective March 28, 2017, in order to address the changed site conditions of additional Priority 1 and Priority 2 structurally significant and safety related concrete repairs to the Huntington Park Garage; and

WHEREAS, it was contemplated all along that the final GMP contract with Design-Builder shall be subject to Council's approval;

WHEREAS, it is necessary that this Resolution become immediately effective in order 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 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, to extend the time period to 3/3/2018 and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00 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 this contract, including 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 \$25,211,693.00.

SECTION 2. That the County Executive is hereby authorized to execute the amendment 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. Tuma, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

Yeas: Schron, Conwell, Jones, Hairston, Simon, Baker, Miller, Tuma,
Gallagher and Brady

Nays: None

Abstentions: Brown

Dawn R. Bivell, 3/29/2017
County Council President Date

[Signature] 4-3-17
County Executive Date

[Signature] 3/28/2017
Clerk of Council Date

First Reading/Referred to Committee: March 14, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Substituted in Committee: March 22, 2017

Journal CC025
March 28, 2017