

ORDINANCE NO. 21-019

AN ORDINANCE AUTHORIZING EXECUTION OF THE 45 E. WATERLOO ST. MUNICIPAL COMPLEX RENOVATION DESIGN BUILD AGREEMENT WITH THE FERGUSON CONSTRUCTION COMPANY AND DECLARING AN EMERGENCY

WHEREAS, the City of Canal Winchester, Ohio (the "City") is undertaking a construction project to redesign and renovate an existing structure at 45 E. Waterloo St. for the purpose of a new Municipal Complex (the "Project"); and

WHEREAS, Council previously determined that it is in the best interest of the City to procure the necessary services for the Project by using the design-build method of construction project delivery and pursuant to the City's Amended Charter and the City's Codified Ordinances, Council waived the competitive bidding requirement with respect to the contract for the Project and developed its own design-build process as permitted under its Charter and Ordinances; and

WHEREAS, Ferguson Construction Company has prepared a scope of work, design development drawings and a Guaranteed Maximum Price (GMP) proposal and the Council wishes to authorize the Mayor to accept such GMP proposal and corresponding scope of work for an amount of \$4,067,144.00 and to execute the corresponding Design Build Cost Plus Fee with a Guaranteed Maximum Price Agreement for the project with Ferguson Construction Company.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, OHIO AS FOLLOWS:

Section 1. The Council authorizes the Mayor to accept a GMP proposal and corresponding scope of work with Ferguson Construction Company in an amount of \$4,067,144.00 and to execute the corresponding Design Build Agreement for the project.

Section 2. Council authorizes the work to proceed immediately upon execution of such agreement.

Section 3. This ordinance is hereby declared an emergency measure, necessary for the immediate preservation of public peace, health, safety, and welfare, such emergency arising from the need to maintain a specific project schedule; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

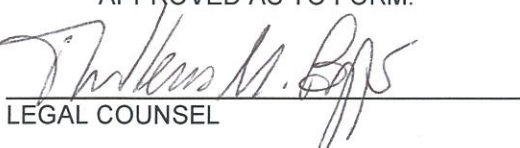
DATE PASSED 4-19-21


PRESIDENT OF COUNCIL

ATTEST 
CLERK OF COUNCIL


MAYOR

DATE APPROVED 4-21-21

APPROVED AS TO FORM:

LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.


Clerk of Council



PROPOSAL FORM 6A
GUARANTEED MAXIMUM PRICE PROPOSAL
Where 100% of any Savings will be retained by the Owner.

THIS FORM SHALL BE SUBMITTED AT THE CONCLUSION
OF THE PRELIMINARY SERVICES PHASE

Calculation of the GMP for the Project, where 100% of any Savings is retained by the Owner:

Item	Price
(A) Design Services Fee	\$12,500
(B) Preconstruction Fee	Included above.
(C) Design-Build Services Fee	3% of the Cost of the Work, which equates to: <u>\$117,385</u> when applied to the Maximum Cost of the Work provided in (D) below.
(D) General Conditions	\$269,187 (which is equal to the monthly cost of \$44,864.50 multiplied by 6 month project duration)
(E) Maximum Cost of the Work	\$3,668,072
Guaranteed Maximum Price = (A)+(B)+(C)+(D)+(E)	<u>\$4,067,144</u>