

ORDINANCE NO. 23-006

AN ORDINANCE AUTHORIZING EXECUTION OF THE MCGILL THREE SEASON SHELTER CONSTRUCTION CONTRACT WITH THE FERGUSON CONSTRUCTION COMPANY AND DECLARING AN EMERGENCY

WHEREAS, the City of Canal Winchester, Ohio (the "City") is undertaking a construction project to construct a three-season shelter at McGill Park; and

WHEREAS, Council previously determined that it is in the best interest of the City to waive the competitive bidding requirement with respect to the contract for the Project as permitted under its Charter and Ordinances; and

WHEREAS, Ferguson Construction Company has prepared and submitted a lump sum proposal and the Council wishes to authorize the Mayor to accept such proposal and corresponding scope of work for an amount of \$848,697.00 and to execute the corresponding 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. Council authorizes the Mayor to accept a proposal and corresponding scope of work with Ferguson Construction Company in an amount of \$848,697.00 and to execute the corresponding Agreement for the project.

Section 2. This Ordinance is hereby declared to be an emergency measure, to be effective immediately upon passage, such emergency being necessary for the immediate preservation of public peace, health, safety, and welfare, and such emergency arising from the need to maintain a specific project schedule for on-time and on-budget procurement and construction.

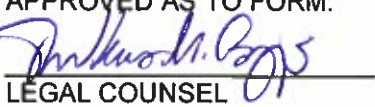
DATE PASSED 2-6-23


PRESIDENT OF COUNCIL

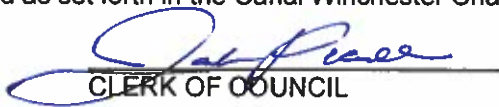
ATTEST 
CLERK OF COUNCIL


MAYOR

DATE APPROVED 2-7-23

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 TRANSMITTAL LETTER

January 5, 2023

FERGUSON CONSTRUCTION COMPANY
3595 Johnny Appleseed Ct.
Columbus, Ohio 43231

Re: Proposal for the McGill Park Three Seasons Shelter Project

Ferguson Construction Company (the "Proposer") hereby submits its Proposal in response to the Request for Proposals ("RFP") for the McGill Park Three Seasons Shelter Project issued by the City on November 21, 2022, as amended.

As a duly authorized representative of the Proposer, I hereby certify, represent, and warrant as follows in connection with the Proposal:

1. The Proposer acknowledges receipt of the RFP and the following Addenda:

<u>No.</u>	<u>Date</u>
—	—
—	—

2. The submittal of the Proposal has been duly authorized by, and in all respects is binding upon, the Proposer. Attachment 1 to this Proposal Form is a Certificate of Authorization which evidences my authority to submit the Proposal and bind the Proposer.
3. All information and statements contained in the Proposal are current, correct and complete, and are made with full knowledge that the City will rely on such information and statements in selecting the Selected Proposer and executing the Contract.
4. The Proposal has been prepared and is submitted without collusion, fraud or any other action taken in restraint of free and open competition for the services contemplated by the Project.
5. The Proposer has visited the Site and become familiar with and is satisfied as to the general, local and Site conditions that may affect cost, progress, and performance for the Work.
6. The Proposer is familiar with and is satisfied as to all Laws or Regulations that may affect cost, progress and performance of the Work.
7. Proposer has correlated the information known to Proposer, information and observations obtained from visits to the Site, reports and drawings identified in the RFP and Contract Documents and all additional examinations, investigations, explorations, tests, studies and data provided by the Owner.

8. Proposer has given the City written notice of all known conflicts, errors, ambiguities, or discrepancies that Proposer has discovered in the Contract, and the written resolution thereof by the City is acceptable to Proposer.
9. The Proposer has carefully examined all documents constituting the RFP and the Addenda thereto and, being familiar with the Work and the conditions affecting the Work contemplated by the RFP and such Addenda, offers to furnish all plant, labor, materials, supplies, equipment, facilities, and services which are necessary, proper or incidental to carry out such Work as required by and in strict accordance with the RFP and the Proposal, all for the prices set forth in the Proposal Forms.

ITEM 1. LUMP SUM , COMPLETE

Base Bid

All labor and materials for the sum of \$ 787,246.00

Sum in words: Seven hundred eighty-seven thousand two hundred forty-six and zero /100 dollars

Alternate #1

All labor and materials for the sum of \$ 75,051.00

Sum in words: Seventy-five thousand fifty-one and zero /100 dollars

ITEM 2. PROJECT DURATION

Base Bid

The project shall be complete in 180 calendar days from the issuance of the Notice to Proceed.

Alternate #1

The project shall be complete in 180 calendar days from the issuance of the Notice to Proceed.

ITEM 3. PROJECT DURATION

Contractor shall list proposed ideas for reducing the bid amount. Use additional pages if necessary for describing in sufficient detail.

<u>Item</u>	<u>Description</u>	<u>Deduct Amount</u>	<u>Base Bid or Alt. #1</u>	
1.	Delete awning crank for the counter shutter	\$1,645.00	Base bid	NOT ACCEPTED
2.	Delete powder coat finish on OVHD Doors	\$4,300.00	Alternate #1	NOT ACCEPTED
3.	Delete insulated rails + stiles sections - OVHD Doors	\$3,600.00	Alternate #1	ACCEPTED
4.	Change OVHD glass from 1/2" to 1/4"	\$10,000.00	Alternate #1	ACCEPTED

TOTAL CONTRACT = \$ 848,697.00